

THE MADRAS LEGISLATIVE ASSEMBLY.

Saturday, 26th July 1952.

The House met in the Assembly Chamber, Government Estate, Mount Road, Madras, at half past ten of the clock, Mr. Speaker (THE HON. SRI J. SIVASHANMUGAM PILLAI) in the Chair.

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

MR. SPEAKER :—“ To-day I have placed before the House 27 questions. They include questions which were left over from the list of questions for yesterday and the day before yesterday. I hope, with the co-operation of the House, I shall be able to finish them in one hour.”

Minimum wages of Municipal employees.

* 186 Q.—SRI K. P. GOPALAN :—“ Will the Hon. the Minister for Industries and Labour be pleased to state on what grounds Government issued the G.O. No. 1355, Development, dated 29th March 1952, fixing the minimum wage of municipal employees at Rs. 25 per month including allowance? ”

THE HON. DR. U. KRISHNA RAO :—“ The scales of pay in local bodies vary widely. The intention in fixing the wages as in the Government Order is that no employee including those in the category of menials and inferior servants should be paid less than the minimum wages fixed. In many cases, this represents an improvement on the salaries previously paid. In some other cases higher salaries are paid, and can be paid consistently with the finances of the local body concerned.”

SRI K. P. GOPALAN :—“ May I know, Sir, out of this Rs. 25, what is the basic salary and the allowance of a municipal worker? Have the Minimum Wages Enquiry Committee made any recommendation regarding the fixation of minimum wages, and if so, have the Government accepted that recommendation? ”

THE HON. DR. U. KRISHNA RAO :—“ Rs. 25 includes basic wage, dearness allowance and cash value of concessions. As to the actual proportion, I should like to have notice. As regards the latter part of the question, I can only say this. When the Minimum Wages Enquiry Committee toured the districts, the Chairmen of Municipalities suggested that if the municipalities could not pay, the balance should be met by the Government. As the hon. Member is aware, due to financial stringency, that recommendation cannot be given effect to.”

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SRI PILLALAMARRI VENKATESWARLU :—“ Is it not a fact that the Minimum Wages Enquiry Committee recommended Rs. 40 as the minimum wage? May I know from the Hon. Minister in how many places labourers have been benefited on account of the fixation of the minimum wage? ”

THE HON. DR. U. KRISHNA RAO :—“ It is a fact that the Committee recommended Rs. 40. As to the number of places in which labourers have been benefited, I should like to have notice.”

SRI P. VENKATASUBBAYYA :—“ May I know whether the Government have taken into account the high cost of living prevailing then while fixing the minimum wage of municipal employees? ”

THE HON. DR. U. KRISHNA RAO :—“ We not only took into consideration the high cost of living but also the capacity of the Local Boards to pay.”

SRI V. BALAKRISHNAN :—“ Does this fixation fit in with the minimum standard of living ratio stipulated by the Government? ”

THE HON. DR. U. KRISHNA RAO :—“ I am unable to answer that question. But I can say, that many, many labourers employed by panchayats and municipalities will be benefited.”

SRI M. VEERABHADRAM :—“ Will the Government be pleased to place a copy of the Report submitted by that Committee on the table of this House? ”

THE HON. DR. U. KRISHNA RAO :—“ I think the Report has already been published. Otherwise, I shall consider the suggestion of the hon. Member.”

SRI T. NAGI REDDI :—“ In view of the fact that the municipal employees do the dirtiest job on this earth and as they are paid low they are not able to purchase the necessities of life to enable them to live under good sanitary conditions, will the Government consider the desirability of either supplying them with the necessities of life or increasing their salary, as Rs. 25 is too low a wage? ”

THE HON. DR. U. KRISHNA RAO :—“ All the employees of the municipalities do not do the dirty work. Only some of them do it, and all the members of the family do it. If you add all their income, the aggregate income of the family, I am afraid, would be far greater than what a graduate can earn.”

SRI T. VISWANATHAM :—“ Are the Government aware that where local boards and municipalities were willing to pay more, the Government did not sanction the increase? ”

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THE HON. DR. U. KRISHNA RAO :—" Wherever local bodies are paying more than the minimum wages, we are not cutting them down."

Representations from the handloom weavers of Malabar.

* 190 Q.—SRI R. KRISHNAN : Will the Hon. the Minister for Industries and Labour be pleased to state—

(a) whether the Government have received any memoranda or telegrams from Pudukkod village, in Palghat taluk, Malabar, regarding the unemployment and starvation of handloom weavers; and

(b) if so, what action the Government propose to take to ameliorate the condition of these weavers?

THE HON. DR. U. KRISHNA RAO :—" A representation on the plight of weavers in Malabar was received by Government from the Secretary, Handloom Weavers' Association, Pudukkod, and it was forwarded to the Collector of Malabar for taking necessary action.

" (b) The Government have sanctioned a scheme for relief of distress among weavers through the agency of co-operative societies and it is being introduced in Malabar district also and the weavers in Pudukkod village are also likely to be benefited by the scheme."

SRI R. KRISHNAN :—" In view of the fact that the scheme is not a suitable one and as it will not be of any help to the majority of handloom weavers in the Pudukkod village, will the Government consider an alternative scheme for this purpose? "

THE HON. DR. U. KRISHNA RAO :—" I have referred to this matter in the House, a number of times. The Government sent two Deputy Registrars to work out the new scheme. I can also tell this House that a satisfactory method of working the scheme has been reported. I have no details but as soon as I get the scheme, I shall place it before this House."

SRI C. V. K. RAO :—" With regard to the serious problems facing the handloom weavers, the Hon. the Chief Minister is reported to be in communication with the Central Government. May I know at what stage it is now, and the issues that he has taken up with them? "

MR. SPEAKER :—" The present question is about the handloom weavers in Malabar. So the hon. Member may give notice of a fresh question."

SRI O. KORAN :—" Will the Government be pleased to state the total number of handloom weavers and their dependants who have already left their homes in search of employment? "

THE HON. DR. U. KRISHNA RAO :—" I should like to have notice."

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Cost of implementing the Madras Shop Assistants Act.

* 192 Q.—SRI T. ANANTHA PAI: Will the Hon. Minister for Industries and Labour be pleased to state what the cost of implementing the Madras Shop Assistants Act to the Government is?

THE HON. DR. U. KRISHNA RAO:—"About Rs. 9 lakhs per annum."

SRI T. ANANTHA PAI:—"May I know whether the Government consider it necessary to maintain a separate Labour Department to enforce the Madras Shop Assistants Act, or in the alternative, will the Government consider the possibility of effecting economies by abolishing this Department and enforcing the provisions of this Act only when specific complaints are lodged by the employees?"

THE HON. DR. U. KRISHNA RAO:—"I may tell the hon. Member that this Act benefits $2\frac{3}{4}$ lakhs of people in this State and the number of disputes amicably settled so far is 3,500. In a Welfare State, where happiness and prosperity of labour are involved, I think no expenditure should be considered too much. I am afraid the Government, at present, are committed to this Act."

10-40 a.m. SRI V. V. RAMASAMI:—"May I know whether in urban areas the executive officers and health officers could not be appointed as *ex officio* Inspectors so that reduction could be effected in the cost of the staff employed?"

THE HON. DR. U. KRISHNA RAO:—"So far as the Factories Act is concerned, the municipal officers are empowered to undertake certain functions but whether they are qualified to administer the Shop Assistants Act is another matter."

SRI V. BALAKRISHNAN:—"May I know if the functions of the Factories Inspector and the Assistant Labour Inspector could not be re-adjusted so as to eliminate supernumerary staff and to effect savings of several lakhs of rupees?"

THE HON. DR. U. KRISHNA RAO:—"I am afraid we are not now discussing the functions of Factory Inspectors and the question deals with the Shop Assistants Act. But the hon. Member wants to club the two and I do not think the question of the hon. Member arises out of the main question."

SRI V. R. NAGARAJAN:—"What is the total number of Shop Assistant Inspectors functioning under this Act and are the Government satisfied that they are doing satisfactory work?"

MR. SPEAKER:—"This does not arise out of the main question; he may give notice of a separate question."

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Motor vehicles tax.

* 198 Q.—SRI V. R. KRISHNA AYYAR : Will the Hon. the Minister for Industries and Labour be pleased to state what the total amount of revenue derived by the Madras Government from the Malabar district by way of motor vehicles tax was in the year 1951-52?

THE HON. DR. U. KRISHNA RAO :—“ The amount of motor vehicles tax collected in Malabar district during 1951-52 was Rs. 26,64,566-2-0.”

SRI T. C. NARAYANAN NAMBIAR :—“ Will the Hon. Minister be pleased to say how many motor vehicles are debarred from running consequent upon non-payment of taxes? ”

THE HON. DR. U. KRISHNA RAO :—“ I should like the hon. Member to give notice of a separate question.”

Reconstruction of Salur-Bobbilli Railway line.

* 201 Q.—SRI K. VENKATANARAYANA DORA : Will the Hon. the Minister for Industries and Labour be pleased to state whether he made any statement on 31st May 1952 that the reconstruction of Salur-Bobbilli railway will be taken up in 1952-53?

THE HON. DR. U. KRISHNA RAO :—“ Yes, if a private letter to the hon. Member can be taken as a statement.”

SRI K. VENKATANARAYANA DORA :—“ ఈ సందర్భముపై బొబ్బిలి—సాలూరు రైలు వచ్చేటట్టు ప్రయత్నం జరుగుతున్నదా? ”

THE HON. DR. U. KRISHNA RAO :—“ I wrote to the hon. Member stating that there was every possibility of the work of restoration of the Salur-Bobbilli line being commenced in the year 1952-53.”

Amount spent on Well Subsidy Scheme.

*230 Q.—SRI M. MUNI REDDI : Will the Hon. Minister for Land Revenue be pleased to state the amount spent so far on the Well Subsidy Scheme, the number of wells completed and wells uncompleted, the extent of land brought under cultivation under the scheme and the total increased tonnage of foodgrains due therefrom?

THE HON. SRI M. A. MANICKAVELU NAICKER :—“ The total amount spent under the various well subsidy schemes was Rs. 8,32,81,601. The number of wells completed up to May 1952 under the several well subsidy schemes was 1,25,365. The number of incomplete wells (including wells not started) was 82,428. The total extent brought under irrigation under the well subsidy schemes up to May 1952 was 148,447.66 acres and the total increase of foodgrains up to May 1952 was 73,463.05 tons.”

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SRI P. M. MUNUSWAMY GOWNDER :—“ May I know from the Hon. Minister whether the Government have collected the amounts given by way of well subsidy from agriculturists who failed to complete their wells in time and, if so, how many of them have returned the amount and what was the reason for their not completing the wells? Will the Government also see the reasons behind the non-completion of the sinking of wells and grant the agriculturists sufficient extension of time? ”

THE HON. SRI M. A. MANICKAVELU NAICKER :—“ As many as have been able to pay have paid and those that have not been able to pay have applied for extension of time to pay and the Government are considering the question.”

SRI S. RAMASAMY PADAYACHI :—“ Are the Government aware that the wells dug with the subsidy do not yield sufficient water as they are not dug deep and so will the Government increase the subsidy so as to enable the agriculturists to put up bore wells instead of the ordinary wells and get more water? ”

THE HON. SRI M. A. MANICKAVELU NAICKER :—“ The wells put up with the subsidy taken from the Government are different from bore wells. All the same I will consider the suggestion of the hon. Member.”

SRI VAVILALA GOPALAKRISHNAIAH :—“ మీరు యిప్పుడు యీ subsidy యివ్వడం ఆపివేశారు ? ఆపివేయడంపై ఎందువల్ల ఆపివేశారు ? లేక ఇంకా subsidy యిస్తున్నారే ఏ ఏ జిల్లాలలో యిస్తున్నారు ? ”

SRI T. NAGI REDDI :—“ The hon. Member is asking if the subsidy has been stopped and if not, in which districts it is being continued now.”

THE HON. SRI M. A. MANICKAVELU NAICKER :—“ I want notice to that question.”

SRI R. V. SWAMINATHAN :—“ In view of the great utility of this nice scheme, will the Hon. Minister take up this matter with the Central Government to get a grant from them in order to continue to work the scheme in the State? ”

THE HON. SRI M. A. MANICKAVELU NAICKER :—“ Yes, Sir, the suggestion seems to be good.”

SRI K. V. VEMA REDDY :—“ In view of the fact that the scheme has benefited the poor and the needy agriculturists of the undeveloped and famine-stricken districts of the State, will the Government consider the proposal of continuing the scheme? ”

THE HON. SRI M. A. MANICKAVELU NAICKER :—“ Yes, Sir, it is under consideration.”

SRI K. VINAYAKAM :—“ Is the Hon. Minister aware of the fact that in almost all cases the subsidy given to ryots for sinking wells is a tantalisingly negligible fraction when compared with the actual amount invested in the sinking of the wells, with the

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result that the villagers are tempted to use the money otherwise, which results in the Government penalising them for not sinking the wells properly, and will the Government see that suitable subsidy is given to the agriculturists with reference to the actual cost of sinking the wells?"

MR. SPEAKER :—" A similar question was put by Mr. Ramasamy Padayachi but if the Hon. Minister is prepared to answer the question, I have no objection."

THE HON. SRI M. A. MANICKAVELU NAICKER :—" Nobody compels the applicant to proceed with the work, if he finds it unremunerative."

SRI V. RAMA RAO :—" May I know, Sir, in proportion to the amount of money spent over this scheme, whether the Government think that the results obtained have been satisfactory? "

THE HON. SRI M. A. MANICKAVELU NAICKER :—" Generally, satisfactory results have been obtained but in some cases good results may not be got."

Starvation deaths in Chittoor and Anantapur districts.

* 232-A Q.—SRI D. SEETHARAMIAH : Will the Hon. the Minister for Finance be pleased to state—

(a) whether the Government have received any information about the starvation deaths that have occurred in Chittoor and Anantapur districts during the last two months; and

(b) if not, whether the Government will get reports from the concerned district officials regarding starvation deaths in Penumoor firka of Chittoor district and Kadiri taluk in Anantapur district?

THE HON. SRI C. SUBRAMANIAM :—" (a) No reports of starvation deaths have been received from Anantapur district. However, during the recent tour of the Chief Minister in Chittoor district, an allegation was made to him that there were 23 cases of starvation deaths in Penumoor firka of the district.

" (b) The Collector of Chittoor has enquired into the allegations of starvation deaths in Penumoor firka of Chittoor district and found them to be false. A report will be called for from the Collector of Anantapur in respect of the allegation relating to Kadiri taluk."

SRI D. SEETHARAMIAH :—" In view of the fact that people in these villages, where famine deaths have occurred, have given statements to that effect to me, and in view of the fact that a large number of statements have also appeared in the Press, will the Government take the statement of the villagers as the starting point and conduct an enquiry into the question of malnutrition obtaining in the districts of Anantapur and Chittoor? "

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THE HON. SRI C. SUBRAMANIAM :—“ A detailed investigation was made by the Collector of Chittoor in the Penumoor firka and the following facts have been ascertained as a result of that investigation : In the area where it was alleged that there had been starvation deaths, in the period of two months, there were three deaths, one of which was at Somireddipalle on the 31st May 1952; it was an accidental death of a person of sixty due to a fall from a tree. In Kannikapuram, a destitute was found dead in a sugarcane garden and the post-mortem examination revealed that death was due to asphyxia and the third case was the death of a Muslim boy of Penumoor who was suffering from chronic leprosy and this happened in the last week of May. There were no other deaths in those villages. The village officers and the villagers concerned were questioned and they all denied that there was any starvation death in the villages. Under these circumstances, I do not think that there is any necessity of having a fresh enquiry.”

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SRI T. NAGI REDDI :—“ Are the Government aware that in Madanapalle, there was a case of starvation death? It was reported in the Press not only by the Communist Member of this House, who is here, but also by the Secretary of the Town Congress Committee who was present at that place when that death took place. So, Sir, in view of all those facts made on the floor of the House now and also in view of those things that have appeared in the Press, may I request the Government to see that when such inquiries are conducted by their officers, they are instructed to conduct them in the presence of those people who have made those allegations, so that the villagers may come forward and declare what actually took place without any fear or intimidation? ”

THE HON. SRI C. SUBRAMANIAM :—“ Sir, there is no question of fear and intimidation. I repudiate that suggestion. As for Madanapalle, it is not covered by this question.”

SRI T. NAGI REDDI :—“ Madanapalle is in Chittoor district.”

THE HON. SRI C. SUBRAMANIAM :—“ I know it, Sir; there was a specific allegation of starvation deaths in Penumoor firka of Chittoor district and Kadiri taluk in Anantapur district. We made the enquiry and the allegation was found to be false. Now if the hon. Member says that there was another starvation death at Madanapalle I am prepared to call for a report.”

Applications for takkavi loans from the agriculturists of Anantapur district.

* 233 Q.—SRI K. V. VEMA REDDI : Will the Hon. the Minister for Land Revenue be pleased to state the number of applications received from the agriculturists for takkavi and subsistence loans which are now pending disposal in Anantapur district?

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THE HON. SRI M. A. MANICKAVELU NAICKER :—

“ Seventeen thousand and ninety-one applications for takkavi loans and 19,428 applications for subsistence loans from the agriculturists of Anantapur district were pending disposal on 20th June 1952.”

SRI K. V. VEMA REDDI :—“ Sir, in view of the fact that there are a large number of applications for takkavi and subsistence loans still pending from Kadiri, Tadpatri and other taluks of Anantapur district, due to the shortage of personnel to deal with those applications and also due to the want of conveyance for the officers to go and inquire into those petitions, will Government consider the proposal of increasing the staff and providing conveyance for them for the quick disposal of those applications especially as it will mitigate the sufferings of the famine-stricken people? ”

THE HON. SRI M. A. MANICKAVELU NAICKER :—“ Sir, additional special staff for inquiring into these loan applications has been employed in almost every taluk, and for the information of the hon. Member I may say that a sum of Rs. 18,98,000 and odd as takkavi loans and a sum of Rs. 18,32,000 as subsistence loans have been disbursed already.”

SRI M. K. PADMAPRABHA GOUNDER :—“ May I know, Sir, how many applications have been received from the agriculturists of Malabar for takkavi loans and how much money has been disbursed to them, and particularly whether any takkavi loans have been sanctioned for the agriculturists under the Wynaad Colonization Scheme? ”

MR. SPEAKER :—“ The present question deals with Anantapur district and not with Malabar.”

SRI E. T. KUNHAN :—“ സപ്തതരക്കൾ തക്കവിനാശം കൊടുക്കുവാൻ ഇല്ലാത്ത സാധ്യ ക്രമീകാരം ” “ തക്കവി ” ലോൺ കൊടുക്കുമോ. ? ”

THE HON. SRI K. P. KUTTIKRISHNAN NAIR :— The hon. Member asks whether takkavi loans will be given to agriculturists who have no property to give as security.”

THE HON. SRI M. A. MANICKAVELU NAICKER :—“ Yes, Sir, even without mortgage of land, applications for takkavi loans are being considered.”

Election propaganda at Kakinada by the Ministers.

* 234 Q.—SRI G. RAMA RAO : Will the Hon. the Chief Minister be pleased to state whether the three Ministers, namely, the Minister for Rural Development, the Minister for Land Revenue, and the Minister for Harijan Welfare went to Kakinada at public expense for election propaganda in the second week of June 1952?

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THE HON. SRI C. RAJAGOPALACHARI :—“ The Minister for Rural Welfare did not go to Kakinada or any place in East Godavari district in the second week of June 1952. He was in that district on work appertaining to his office from 16th to 22nd May and not for election propaganda.

“ The Minister for Education and the Minister for Land Revenue were in the East Godavari district for work appertaining to their office as Ministers. The answer to the question is, therefore, in the negative.”

SRI M. HANUMANTHA RAO :—“ Sir, there is a Press report, a cutting from the ‘ Andhra Patrika ’. This report was not contradicted by our Hon. Minister Mr. Sanjivayya. It clearly says that he participated in the election campaign immediately after getting down at Samarlakota. If I am permitted, I shall read out the whole report.”

MR. SPEAKER :—“ It is not necessary.”

THE HON. SRI C. RAJAGOPALACHARI :—“ In the first place, the question is not about the Hon. Minister for Co-operation. In the second place, no inference should be drawn from Press reports and no expectation should be had for contradiction of them. There are ever so many Press reports and such false reports I have made up my mind not to contradict and I have advised my colleagues also not to contradict them unless they are extremely important and unless they are likely to lead to injurious results. I submit, a statement of fact, when it is made by me on behalf of Hon. Ministers in respect of their own affairs, should be accepted.”

SRI C. V. K. RAO :—“ Is it not incumbent on the Hon. Ministers before they went on official tours to have circulated their tour programme to me as I am an elected Member of that constituency? Why is it that they did not do so? For what purpose did they stealthily move about in my constituency at the time of the bye-election? ”

THE HON. SRI C. RAJAGOPALACHARI :—“ I rise on a point of order about the word ‘ stealthily ’.”

MR. SPEAKER :—“ The supplementary question has nothing to do with the main question.”

SRI T. VISWANATHAM :—“ Sir, in view of the statements and assertions made on this side of the House that the Ministers did participate in election work, will the Ministers concerned rise on the floor of the House and say that they honestly never did any election work in these tours? ” (Opposition Cheers.)

THE HON. SRI C. RAJAGOPALACHARI :—“ I am really sorry this question has been cheered in this manner. Does the Leader of the Opposition expect that Hon. Ministers should rise and make statements on oath? When I have

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made a statement on their behalf, it should be considered enough. I submit it is a very wrong suggestion to make and very wrong to be cheered about."

SRI T. VISWANATHAM :—" I am sorry the Hon. Chief Minister said, it is a very wrong suggestion to make. It may be very wrong. But there are several wrongs done, and we want to clear up the wrong things done."

THE HON. SRI C. RAJAGOPALACHARI :—" I have said in clear terms already. I shall give details if necessary if asked in a proper manner. I have said in clear terms that the Hon. Minister for Rural Welfare, about whom the supplementary question was asked, did not go to Kakinada or any place in East Godavari in the second week of June 1952. Is that contradicted by the supplementary question? I hope not. Then, Sir, he was in that district on work appertaining to his office from 16th to 22nd May and not for election propaganda. I wish that to be accepted. I have added that, with apologies to Mr. Venkateswarlu for answering a question which was not asked. Then, Sir, the Minister for Education and the Minister for Land Revenue were in the East Godavari district for work appertaining to their office as Ministers. I want this should be accepted when it is stated by me on their behalf."

Assignment of lands in Tiruchirappalli district.

* 235 Q.—SRI M. KALYANASUNDARAM: Will the Hon. the Minister for Land Revenue be pleased to state whether any representation was received recently by the Government against taking away of lands from poor peasants for assigning the same to "political sufferers" in Tiruchirappalli district, and if so, the action taken thereon?

THE HON. SRI M. A. MANICKAVELU NAICKER :—" Examination shows that except for the representation received from the hon. Member himself in March 1952, no other representation has been received, but the Government have examined the matter in consultation with the Collector of Tiruchirappalli and the Board of Revenue and it is found that the action of the Collector in assigning the land in favour of the political sufferer was in order with reference to the instructions then in force as the person in previous possession was an encroacher of only one year's standing or less."

SRI M. KALYANASUNDARAM :—" May I know, Sir, whether it is not a fact that the peasant from whom the land was taken away had invested an amount to the extent of Rs. 3,000 in improving the land? Will the Government at least consider the question of compensating the peasant to this extent?"

THE HON. SRI M. A. MANICKAVELU NAICKER :—" Sir, I cannot vouch for the figure that the hon. Member has

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mentioned but, I believe the peasant has spent some amount. On the question of compensating the peasant, I do not know how it can be done legally but I can assure the hon. Member that I am going into the question and shall see whether anything can be done."

SRI P. B. K. RAJACHIDAMBARAM :—" Sir, will the Government take the information that even after the latest order stopping further assignment of land to political sufferers, lands are forcibly taken possession of by certain political sufferers by evicting the occupants with the aid of the Revenue authorities? May I know what the Government are proposing to do about this? "

THE HON. SRI M. A. MANICKAVELU NAICKER :—" I am not aware of it, Sir. Probably the hon. Member refers to cases wherein orders have been passed under the old order of things and the political sufferer who has been assigned the land has taken recourse to the ordinary courts of law."

SRI T. NAGI REDDI :—" May I know, Sir, what are the conditions precedent to the grant of lands to political sufferers and whether it is not one of the conditions that the land should be brought under cultivation within three years and, if in any place this condition is not fulfilled, will the Government take charge of the land and give it back to the previous owners? "

THE HON. SRI C. RAJAGOPALACHARI :—" Sir, if the law allows it, I am not only willing but very eager to do it."

Sales tax on fish.

* 236 Q.—SRI C. H. KANARAN : Will the Hon. the Minister for Rural Welfare be pleased to state when sales tax was first levied in the West Coast on fish caught and cured in the Government fish-curing yards by fishermen?

THE HON. SRI S. B. P. PATTABHI RAMA RAO :—" South Kanara district—1940-41.

Malabar (South)—April 1940.

Malabar (North)—December 1947."

SRI C. H. KANARAN :—" Sir, the question here is about fish caught and cured by the fishermen and not about the traders. The Hon. Minister has not dealt with the fish caught and cured by fishermen. My question has not been replied to, Sir."

THE HON. SRI S. B. P. PATTABHI RAMA RAO :—" Sir, I have given a reply to the question as I have understood it. The hon. Member's question reads as follows :—

" Will the Hon'ble the Minister be pleased to state, when sales tax was first levied in the West Coast on fish caught and cured in the Government fish-curing yards by fishermen? "

" My answer was that sales tax on fish was first levied in South Kanara district in 1940-41; in South Malabar in April 1940 and in North Malabar in December 1947."

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SRI K. ARANGANATHAN :—“ May I know, Sir, whether sales tax is collected on the fish sold in the Government fish growing centres? ”

MR. SPEAKER :—“ This has got nothing to do with the present question. The hon. Member may put a separate question.”

SRI S. DEIVASIGAMANY :—“ May I know, Sir, whether sales tax is levied on actual sales of fish or on the approximate value of the turnover fixed by the Commercial Tax Officer at some stage and whether the fishermen are expected to maintain accounts and also issue cash bills? If so, is it just and practicable? ”

THE HON. SRI S. B. P. PATTABHI RAMA RAO :—“ Sir, where there are accounts, sales tax is assessed accordingly. If there are no accounts, sales tax is assessed on the evidence that the Commercial Tax Officer is able to gather.”

SRI T. C. NARAYANAN NAMBIAR :—“ Sir, in view of the fact that fish is a very important food-stuff as far as the West Coast is concerned, will the Hon. Minister be pleased to consider whether he can exempt it from sales tax so that the poor people can get it much cheaper? ”

THE HON. SRI S. B. P. PATTABHI RAMA RAO :—“ Sir, in certain cases, where there is need, it has been exempted.”

Travelling allowance drawn by the Hon. the Minister for Finance for the tour in Aruppukkottai area.

* 237 Q.—SRI S. T. ADITYAN : Will the Hon. the Minister for Finance be pleased to state whether he drew travelling allowance for his recent tour in the Kovilpatti-Aruppukkottai area?

THE HON. SRI C. SUBRAMANIAM :—“ No, Sir.”

Leasing of lands in Bapatla taluk.

* 238 Q.—SRI PRAGADA KOTAIAH : Will the Hon. the Minister for Land Revenue be pleased to state—

(a) whether any waste land in Bapatla village (Guntur district) formed out of the disreserved Bapatla Block III Survey Nos. 1280, 1281 and 1452 has been let on lease to Shri Desaraju Hanumantha Rao and two others for temporary cultivation;

(b) the extent of this land let on lease;

(c) the number of years for which it was let on lease;

(d) the date of expiry of contract entered into for cultivation of this land;

(e) whether the Government are aware of its not being cultivated by the lessees;

(f) whether the Government are aware of its being cultivated by some landless agricultural labourers of Chillaragollapalem, a hamlet included in the Municipality of Bapatla;

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(g) whether the Government had ever any representations from these landless agricultural labourers requesting for transfer of the lease from Sri Desaraju Hanumantharao and others, and if so, the extent of action taken thereon by the Government; and

(h) whether the Government had ever received any representations from these landless agricultural labourers of Chillaragollapalem requesting for the formation of a co-operative society and for attaching this land to it for cultivation, and if so, the extent of action taken by the Government in that regard?

THE HON. SRI M. A. MANICKAVELU NAICKER :—“(a)

The lands in question have been leased out only to two persons, viz., Sri Desaraju Hanumantharao and Sri K. Ponnaiah.

“(b)

Survey number.	Extent.
	ACS.
1280	43 80
1281	103 40
1452	4 70

“(c) There is no information on this.

“(d) The lease runs till 1954-55.

“(e) & (f) The lessees of the lands in question have not sub-let them.

“(g) & (h) A representation from the residents of Chillaragollapalem village, dated 27th June 1952, has been received by the Government. They are being informed that they may approach the Collector in 1954 regarding the lease of the lands and that they may address the Deputy Registrar of Co-operative Societies regarding the registration of their society.”

SRI PRAGADA KOTAIAH :—“May I know, Sir, whether the Government will give an assurance to this House that they will consider the formation of Land Colonization Co-operative Societies and assign such waste lands to such societies?”

THE HON. SRI M. A. MANICKAVELU NAICKER :—“It is a general question, Sir, and I think it is being done.”

SRI V. SRI KRISHNA :—Sir, as the lessee happens to be a lawyer with no agricultural bias at all and, as he has leased out the land to some others in the neighbourhood, will the Government consider the question of cancelling this lease as he has not fulfilled the terms of the lease?”

THE HON. SRI M. A. MANICKAVELU NAICKER :—“Sir, the much-abused lawyer has somehow got the lease. I think the question may be considered when the lease expires.”

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The Pudukudi Tank Scheme.

* 239 Q.—SRI K. R. VISWANATHAN: Will the Hon. the Minister for Land Revenue be pleased to state—

(a) whether the estimate for the restoration of the Pudukudi tank (or otherwise known as Mathikattu Eri) has been sanctioned;

(b) if so, the cost of the estimate and the area to be benefited by this scheme; and

(c) when the Government are going to undertake the scheme?

THE HON. SRI M. A. MANICKAVELU NAICKER:—“(a) No.

“(b) & (c) Do not arise.”

Starting of a Second Grade College at Bhadrachalam.

* 240 Q.—SRI Y. V. KRISHNA RAO: Will the Hon. the Minister for Education be pleased to state whether there is any proposal for starting a Second Grade College at Bhadrachalam, East Godavari?

THE HON. DR. M. V. KRISHNA RAO:—“No, Sir.”

SRI Y. V. KRISHNA RAO:—“May I know the reason, Sir?”

THE HON. DR. M. V. KRISHNA RAO:—“The answer was ‘No,’ Sir, simply because the proposal was never taken up.”

Memoranda received from the All-Kerala Ayurvedic Congress.

* 241 Q.—SRI M. K. PADMAPRABHA GOUNDER: Will the Hon. the Minister for Prohibition be pleased to state whether the Government have received memoranda from Ayurvedic physicians and representatives of the All-Kerala Ayurvedic Conference requesting the Government to revoke the recent orders which have classified Asavas and Arishtas in the Prohibition list; and if so, what action has been taken thereon?

THE HON. SRI V. C. PALANISWAMI GOUNDER:—“Yes, Sir. The Government have received memoranda from the All-Kerala Ayurvedic Congress on 4th July 1952. The matter is under consideration of Government.”

SRI T. ANANTHA PAI:—“I should like to know, Sir, whether the Government will consider the question of extending the exemptions granted to tinctures under the Prohibition Act to asavas and arishtas also as from the point of view of enforcement of the Prohibition Act, the distinction made between drugs containing self-generating alcohol and drugs to which alcohol is added is not at all helpful.”

THE HON. SRI V. C. PALANISWAMI GOUNDER:—“Sir, I have already said that the matter is under the consideration of Government.”

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SRI K. MADHAVAN NAMBIAR :—“ By levying duties on asavas and arishtas, may I know, Sir, how the alcohol is removed from the asavas and arishtas? ”

MR. SPEAKER :—“ The present question relates to a memorandum presented to the Hon. Minister. This has nothing to do with it.”

Number of famine relief works started in Penukonda taluk.

* 242 Q.—SRI T. LAKSHMINARAYANA REDDI : Will the Hon. the Minister for Land Revenue be pleased to state the number of public works, for famine relief, started and actually under execution in Penukonda taluk and Kadiri taluk, and the number of persons engaged in each of the public works?

THE HON. SRI M. A. MANICKAVELU NAICKER :—“ In Penukonda taluk, 13 Public Works Department Works, 11 Road works and 24 Minor Irrigation works were started. Of these, 8 Public Works Department works, 10 Road works and 20 Minor Irrigation works are in progress. The number of persons employed on these relief works on an average per day is 1,550.

“ In Kadiri taluk, 3 Public Works Department works, 18 Road works, and 17 Minor Irrigation works were started. Of these 13 Road works and 4 Minor Irrigation works are in progress. The number of persons engaged in these relief works on an average per day is 3,832.”

11-10 a.m. SRI T. NAGI REDDI :—“ As per the statistics given by the Government, it is very evident that the number of persons engaged in famine relief work are few. Will the Government consider the large number of representations that are being received by the Government offices and by the Members of the Legislature asking for more and more relief works to be started, and start relief works to provide work for more than 50,000 people in both Kadiri and Penukonda taluks? ”

THE HON. SRI M. A. MANICKAVELU NAICKER :—“ More and more will be spent on famine relief works subject to financial restrictions.”

Instructions issued to the Inspector of Police, Visakhapatnam.

* 243 Q.—SRI M. VEERABHADRAM : Will the Hon. the Chief Minister be pleased to state whether it is a fact that after 10th of April 1952 a Minister or the Inspector-General of Police, Madras, sent instructions to the Police Department particularly to the Inspector of Police, Visakhapatnam, to threaten those people who approach the Communist legislators for help and advice?

THE HON. SRI C. RAJAGOPALACHARI :—“ No, Sir.”

SRI M. VEERABHADRAM :—“ Will the Hon. the Chief Minister take it from me that the Inspector of Police did threaten

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some of the workers of the Metal and Timber Works, Ltd., Kappara and will the Government make an enquiry into the matter? ”

THE HON. SRI C. RAJAGOPALACHARI :—“ I wish the hon. Member gives me a written letter or a note on the subject and I shall make enquiries.”

Jaggery manufacture by co-operatives in Malabar district.

* 244 Q.—SRI T. C. NARAYANA NAMBIAR (on behalf of Sri V. R. Krishna Ayyar) : Will the Hon. the Minister for Prohibition be pleased to state whether the Government have permitted Nira to be made by all co-operatives of tappers in Malabar or anywhere else in the Madras State?

THE HON. SRI V. C. PALANISWAMI GOUNDER :—“ The tapping of trees for ‘ Neera ’ (sweet toddy) for jaggery manufacture by co-operatives in Malabar district is allowed. The same concession is allowed to co-operatives in other districts also except Bellary, Cuddapah and Kurnool.”

Auctioning of lands belonging to the Field Labour Co-operative Society of Mulakallanka.

* 245 Q.—SRI P. PUNDARIKAKSHACHARYULU (on behalf of Sri N. V. Rama Rao) : Will the Hon. the Minister for Land Revenue be pleased to state—

(a) whether some lankas given to the Field Labour Co-operative Society of Mulakallanka, Rajahmundry taluk, East Godavari district, for cultivation on a fixed average rate were auctioned this year;

(b) if so, what were the reasons;

(c) whether the poor landless Harijans of the Mulakallanka Field Labour Co-operative Society gave a petition regarding the same to the Secretary, Board of Revenue; and

(d) if so, what action was taken?

THE HON. SRI M. A. MANICKAVELU NAICKER :—“ (a) Yes.

“ (b) The reason for the auction is reported to be the default in payment by the Field Labour Co-operative Society, Mulakallanka of lanka rentals from fasli 1360, to the tune of Rupees 25,285.

“ (c) Yes.

“ (d) The Board of Revenue directed the Collector to conduct the proposed auction of lanka lands on 21st May 1952 as already notified earlier but not to confirm the sale pending orders on the petition presented by the Society. The Board’s further report in the matter is awaited.”

SRI V. RAMA RAO :—“ May I know, Sir, how the Government are going to realize the arrears without granting the lanka lands? ”

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THE HON. SRI M. A. MANICKAVELU NAICKER :—" Even without granting lands to the petitioners, arrears of rent can be recovered."

SRI V. SRI KRISHNA :—" Will the Government consider the question of granting pattas to the members of the Field Labour Co-operative Societies? "

THE HON. SRI M. A. MANICKAVELU NAICKER :—" We are concerned with the lease of lanka lands and not with the granting of pattas."

SRI P. VENKATASUBBAYYA :—" Are the Government aware that the action of the Government will affect the society in particular adversely and bring down the reputation of the Co-operative movement in general? "

THE HON. SRI M. A. MANICKAVELU NAICKER :—" No Sir. As I said, the Government are awaiting the report of the Revenue Board and the whole matter will be considered after the report is received."

Strength of Police force stationed within the Buckingham and Carnatic Mills.

* 246 Q.—SRI P. RAMAMURTHI (on behalf of Sri P. Jeevanandam) : Will the Hon. the Chief Minister be pleased to state—

(a) the strength of the Police force stationed within the premises of the Buckingham and Carnatic Mills;

(b) what is the total expenditure involved in maintaining these policemen within the Mills;

(c) for how many days past have policemen been stationed inside the premises of the Mills;

(d) what is the reason for this unusual procedure whereby policemen are asked to do duty inside private buildings when there is no actual breach of the peace; and

(e) the reason for opening a new Police Station in Otteri?

THE HON. SRI C. RAJAGOPALACHARI :—" (a), (c) & (d) There is no Police force stationed within the premises of the Buckingham and Carnatic Mills now. A Police force of about 90 men were stationed in and around the Mill area from 10th December 1951 to 30th June 1952.

" On 1st December 1951 there were various acts of violence in the Buckingham and Carnatic Mills resulting in the closure of the Mills for about ten days. With the help of the Police, work was resumed in the mills from 10th December 1951. It would appear that the Buckingham and Carnatic Mill authorities approached the Commissioner of Police for suitable police protection in order to resume normal work in the mills and to prevent further acts of violence, etc. The Commissioner of Police accordingly deputed two platoons of the Special Armed Police with effect from 10th December 1951.

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“ As stated already there is no police force now stationed in the mills.

“ (b) Nil, as the cost of the police force when it was stationed in and around the mill area was recovered from the Management of the Mills according to scheduled rates.

“ (c) For better maintenance of Law and Order and effective control of crime in the area.”

SRI P. RAMAMURTHI :—“ May I know whether the Government made any enquiries of the Union before actually sanctioning the Police force when requested by the Management? ”

THE HON. SRI C. RAJAGOPALACHARI :—“ Sir, I have stated the history of the matter which led to putting in the Police in the mills on the 10th December 1951; and the history shows that there is no useful purpose to be gained by making an enquiry of the people who were guilty of violence and for which purpose this Police force was put in. If the question is about subsequent events and subsequent temperament, it naturally follows that a certain amount of time must elapse before any change could take place.”

SRI S. PAKKIRISAMI PILLAI :—“ May I know from the Hon. the Chief Minister whether it is not a fact that the management, taking advantage of the existence of the police force, are trying to get the work load increased for the workers? ”

THE HON. SRI C. RAJAGOPALACHARI :—“ Sir, I have already said that the Policemen are not there. I may add even if they were there they would not be very useful to get more work from the workers.”

SRI P. RAMAMURTHI :—“ Is the Hon. the Chief Minister aware that during the period when the Police force was actually stationed there, the Policemen were threatening the workers going to latrines to answer calls of nature, etc., and that their presence was irksome to the workers and whether that fact itself led to friction between workers and the management? ”

THE HON. SRI C. RAJAGOPALACHARI :—“ Such arrangements are bound to lead to consequences and allegations of this kind on either side which may be true or not true; but that friction is now over. It was stopped, though unwillingly, and it is now closed.”

SRI S. C. S. ANTHONY PILLAI :—“ May I know, Sir, where was the necessity for the Police force when the Government prosecuted certain workers for alleged acts of terrorism and sabotage? ”

THE HON. SRI C. RAJAGOPALACHARI :—“ It is a matter of opinion as to whether there was necessity or not, and, at any rate peace now prevails. I submit we may leave matters at that.”

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Supply of electric power to South Kanara district.

* 247 Q.—SRI Y. MANJAYA SHETTY : Will the Hon. the Minister for Public Works be pleased to state—

(a) whether the agreement between the Government of Madras and the Government of Mysore has been completed with regard to the supply of electric power from “Jog Falls” to the district of South Kanara;

(b) if not, the reasons for the delay;

(c) whether it is a fact that the Chief Minister of Madras has written a D.O. letter to the Chief Minister of Mysore to expedite the completion of the agreement; and

(d) if so, what reply has been received by the Chief Minister of Madras?

THE HON. SRI N. RANGA REDDI :—“(a) & (b) The agreement is not yet completed owing to differences regarding the surcharge to be paid by Madras on the agreed rates for power supply.

“(c) & (d) It is not usual to discuss the contents of D.O. letters. They lose their value if we do so. A revised draft agreement has just come from Mysore and it is being scrutinised in the departments concerned.”

11-20
a.m.

SRI Y. MANJAYA SHETTY :—“Will the Hon. Chief Minister be pleased to convene a conference of the Chief Minister of Mysore and the concerned officials of the Mysore and Madras Governments to finalize the terms of the agreement as was done in the case of the Tungabhadra Project?”

THE HON. SRI C. RAJAGOPALACHARI :—“If and when found necessary, the Chief Minister will do it.”

SRI S. DEIVASIGAMANY :—“How many kilowatts of electricity are expected to be produced by harnessing the waters of the Jog Falls and what are the States that are benefited by the Project?”

THE HON. SRI N. RANGA REDDI :—“I do not know how much power is generated at the Jog Falls. But I may say that the Mysore Government have promised to give us 6,000 k.w. of power.”

SRI T. ANANTHA PAI :—“Are the Government aware of the feeling of the people of South Kanara that there has been inordinate delay in the matter of concluding these negotiations and will the Government finalize the issues once for all without further delay?”

THE HON. SRI C. RAJAGOPALACHARI :—“Water is running from one State to the other. We cannot carry on any useful negotiations in the spirit suggested. We have to go slow and with great patience.”

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Collection of audit fees from the mutts and temples.

* 248 Q.—SRI T. ANANTHA PAI: Will the Hon. the Minister for Religious Endowments be pleased to state what the Government propose to do regarding the continuance of Hindu Religious Endowments Commissioners in view of the decision of the Madras High Court that the Government shall not collect audit fees from the mutts and denominational temples?

THE HON. SRI K. VENKATASWAMI NAIDU:—“ The decision of the High Court was that the provisions of the Hindu Religious and Charitable Endowments Act, 1951, relating to the collection of—

(i) contribution, and

(ii) audit fees

from religious institutions were *ultra vires*. The decision of the High Court in respect of audit fees does not affect the continuance of the Commissioner, Deputy Commissioners and Assistant Commissioners of the Hindu Religious and Charitable Endowments (Administration) Department.”

SRI T. ANANTHA PAI:—“ In view of the decision of the High Court, is it the policy of the Government to recognize the autonomy of maths and denominational temples so that they may make free use of their funds without Government control? ”

THE HON. SRI K. VENKATASWAMI NAIDU:—“ The matter is now going to a higher Court and we cannot decide until the case is finally disposed of.”

MR. SPEAKER:—“ As the matter is before the Court, it is *sub judice*. I pass on to the next question.”

Representations made by the prisoners of Salem Jail.

* 249 Q.—SRI M. HANUMANTHA RAO: Will the Hon. the Minister for Law be pleased to state—

(a) whether the prisoners of Salem Jail represented any grievances to the Hon. Minister when he visited the jail; and

(b) what measures has the Hon. Minister taken to redress their grievances?

THE HON. SRI K. P. KUTTIKRISHNAN NAIR:—“ (a) Yes.

“ (b) The Government are considering them.”

SRI M. HANUMANTHA RAO:—“ Is the Hon. Minister aware that all the grievances represented to him, namely, water scarcity to the extent of allowing a bath only once a week, the Superintendent abusing the prisoners, non-supply of even slates, segregation, etc., continue and that the matter cannot brook any delay? ”

THE HON. SRI K. P. KUTTIKRISHNAN NAIR:—“ No, Sir. Some of the demands have been complied with. Water

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scarcity has ceased after the few showers we had. Regarding lock-up and other things, certain amenities have been granted."

SRI K. RAJAGOPALA RAO :—" May I know what the grievances are that were represented to the Hon. Minister and what steps the Government propose to take to redress them? "

THE HON. SRI K. P. KUTTIKRISHNAN NAIR :—" There are about 36 demands. The Government will look into them and grant reasonable demands."

SRI P. K. GOPALAKRISHNAN :—" Are the Government aware that the Superintendent of the Salem Jail, Captain R. Raghunathan, does not allow prisoners even to make representations? "

THE HON. SRI K. P. KUTTIKRISHNAN NAIR :—" It is not a fact. In his presence, representations were made. He distributed papers to the prisoners to write their representations leisurely for presenting to me."

SRI K. P. GOPALAN :—" May I know whether, after the Hon. Minister's visit to Salem jail, conditions in Salem jail have become worse, and is the Hon. Minister aware of a statement to this effect published in the Press by some prisoners who were released recently? "

THE HON. SRI K. P. KUTTIKRISHNAN NAIR :—" Even an allegation was made that some of the prisoners had gone on a fast. I made enquiries and found that this was not a fact. I can assure the hon. Member that the condition has not deteriorated after my visit."

SRI T. NAGI REDDI :—" In view of the improved conditions in the State in regard to law and order about which we have been speaking in this House and in view of the opinion expressed even by the Hon. Chief Minister that things seem to be more peaceful now than before, will he be pleased to consider the release of all political prisoners immediately and thereby improve the situation further? "

THE HON. SRI C. RAJAGOPALACHARI :—" The word 'even' should then be removed from the question. I am quite prepared to say that I am considering the matter. The hon. Member knows it. He should also know that hustling produces no effect on me."

SRI V. BAJAKRISHNAN :—" After the consideration is over, will the Hon. Minister supply us with a list of the grievances and the steps taken to remedy them? "

THE HON. SRI K. P. KUTTIKRISHNAN NAIR :—" Certainly it will be considered."

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SRI PILLALAMARRI VENKATESWARLU :—“ As there are very serious allegations against the Superintendent of the Salem jail, will the Government institute an enquiry into his official conduct? ”

THE HON. SRI K. P. KUTTIKRISHNAN NAIR :—“ I may tell the House that some mistaken information is given to some of the Members here. No serious allegation was made against the conduct of the Superintendent. The agitation there seems to be rather sentimental and based on some incident which occurred two years back.”

Assignment of lands in Kanchi Samudram village.

* 250 Q.—SRI T. NAGI REDDI : Will the Hon. Minister for Land Revenue be pleased to state—

(a) whether lands bearing Survey Nos. 51-1 and 54-2 (b) of Kanchi Samudram village of Hindupur taluk were assigned to an ex-serviceman in the year 1946;

(b) whether it is a fact that the Government later assigned the very same lands to Sri Kallur Subba Rao as a political sufferer;

(c) whether it is a fact that a subsidy of Rs. 750 had been granted to Sri Kallur Subba Rao for digging a well and that no well had been dug by him; and

(d) whether in this connexion the Government have received any petition from ex-serviceman of Lepakshi village, Hindupur taluk and if so, the action taken by the Government thereon?

THE HON. SRI M. A. MANICKAVELU NAICKER :—“ (a) to (d) The Government have no information in the matter, but have called for the same from the Collector, and his reply is awaited.”

SRI T. NAGI REDDI :—“ In view of the disturbance to law and order in a number of places due to assignment of lands, will the Government ask the District Collectors to stop assignment of lands to political sufferers, if there is any objection from other parties, till an enquiry is made and final orders issued? ”

THE HON. SRI M. A. MANICKAVELU NAICKER :—“ I wonder at the question. I said that I had called for a report. I can add nothing useful to what I said.”

Number of candidates from Andhra districts who sat for the Public Service Commission Examination.

* 251 Q.—SRI M. VEERABHADRAM : Will the Hon. the Chief Minister be pleased to state—

(a) how many candidates from Andhra districts applied to sit for the Public Service Commission Examination held in June 1952; and

(b) how many actually sat for the examination?

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THE HON. SRI C. RAJAGOPALACHARI :—“(a) Two hundred and twenty-two.

“(b) One hundred and eighty-nine.”

SRI M. VEERABHADRAM :—“In view of the fact that 33 applicants could not sit for the examination because of the heavy travelling expenses involved, will the Government consider the desirability of conducting the examination in three centres, one in Tamilnad, one in Malabar and one in Andhra area, so that the centres may be within the economic reach of the candidates?”

THE HON. SRI C. RAJAGOPALACHARI :—“We shall look into the suggestion. Everything depends upon the number of places available and the inconvenience to both sides.”

Representations re the unauthorized sale of arrack in Srikakulam district.

* 252 Q.—SRI P. PUNDARIKAKSHACHARYULU : Will the Hon. the Minister for Prohibition be pleased to state—

(a) whether the Government have received any representation regarding unauthorized and illicit sales of arrack in Rajam, Srikakulam district; and

(b) if so, what action has been taken so far?

THE HON. SRI V. C. PALANISWAMI GOUNDER :—“(a) Yes, Sir.

“(b) The matter is under investigation.”

SRI P. PUNDARIKAKSHACHARYULU :—“May I know whether the signatories to the representation are asked to take part in the enquiry and, if not, why?”

THE HON. SRI V. C. PALANISWAMI GOUNDER :—“The matter will be considered.”

[Note.—An asterisk (*) at the commencement of a speech indicates revision by the Member.]

II.—REQUEST FOR HALF-HOUR DEBATE.

SRI D. SEETHARAMIAH :—“Sir, as starvation deaths in Chittoor and Anantapur districts are becoming widespread, I request the Hon. Speaker to allow a half-hour debate on that question.”

MR. SPEAKER :—“We are going to sit till 8 o'clock. It is not possible for me to allow a half-hour debate.”

SRI T. NAGI REDDI :—“To-day we have disposed of the questions so quickly.”

MR. SPEAKER :—“It cannot be said to be quick. We have taken one hour.”

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SRI T. NAGI REDDI :—“ We have disposed of so many questions in one hour. At least fifteen minutes may be allowed to discuss the matter.”

MR. SPEAKER :—“ I have received 1,900 questions so far. We cannot be said to have disposed of too many questions in one hour.”

III.—GOVERNMENT MOTION *RE CHANGE* IN THE ORDER OF VOTING ON DEMANDS FOR GRANTS.

THE HON. SRI C. SUBRAMANIAM :—“ Sir, I beg to move—11.3.

That the order in which the Demands for Grants for the year 1952-53 are to be taken up in accordance with the Motion made and adopted on the 21st July 1952, be modified so that after Demand XIII—Jails, the following Demands may be taken up :—

VII—General Sales Tax and Other Taxes and Duties.

XX—Co-operation.

XVIII—Agriculture.”

This change has been in accordance with the wishes of the Opposition, Sir.”

MR. SPEAKER :—“ The question is—

‘ That the order in which the Demands for Grants for the year 1952-53 are to be taken up in accordance with the Motion made and adopted on the 21st July 1952, be modified so that after Demand XIII—Jails, the following Demands may be taken up :—

VII—General Sales Tax and Other Taxes and Duties.

XX—Co-operation.

XVIII—Agriculture.”

The motion was carried.

IV.—VOTING ON DEMANDS FOR GRANTS FOR THE YEAR 1952-53—*cont.*

(1) DEMAND XXIV—LABOUR INCLUDING FACTORIES.

* THE HON. DR. U. KRISHNA RAO :—“ Mr. Speaker, Sir, on the recommendation of His Excellency the Governor, I move

That the Government be granted a sum not exceeding Rs. 18,27,100 under Demand XXIV—Labour including Factories.

“ This Demand relates to the expenditure under the several heads pertaining to the Labour and Factories Department. The Labour Department consists of the following officers, viz., the Commissioner of Labour, two Assistant Commissioners of Labour, fourteen Labour Officers, one Labour Welfare Officer, and four Industrial Tribunals. In addition, the following staff, namely,

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two Deputy Chief Inspectors of Factories, eight Regional Inspectors and fourteen Inspectors of Factories, one Inspectress of Factories and 199 Assistant Inspectors of Labour are employed in this Department. The Budget provision relates to the expenditure on the above staff and their office establishment.

“ The main function of these departments is to administer the various labour laws and to ensure that the benefits of these laws reach the workers and to promote the industrial peace of the State.

“ Of the important Acts, the most important is the Industrial Disputes Act which was passed in 1947, repealing the Trade Disputes Act, 1927. There was no provision for adjudication in the old Trade Disputes Act.

“ When disputes are brought to the notice of conciliation officers, they try to bring about an amicable settlement of the disputes. If no settlement is possible, they recommend to the Government through the Commissioner of Labour the adjudication of the disputes. After examining the reports submitted by the Conciliation Officers and after satisfying themselves that there is sufficient justification for adjudication, the Government refer the disputes to the Industrial Tribunal for adjudication. The Tribunals after holding enquiries submit their awards to Government and they are published in the *Port St. George Gazette*.

“ Till 1950, there was no provision for appeal against the awards of the Industrial Tribunals. In 1950 the Central Government enacted the Industrial Disputes (Appellate Tribunal) Act, providing for appeals against the awards of Tribunals. The Act has been in the nature of a silent revolution for adjusting wages to the cost of living and for securing the proper conditions of employment.

“ In 1951, the Government constituted a Tripartite Committee to enquire into the conditions of labour in Textile Industry. The Government have under consideration proposals for the constitution of Tripartite Committees for cement industry, minor engineering industry and hotels.

“ The Factories Act, 1948, provides for the registration and licensing of factories and the safety, health and welfare of workers. This applies to premises where a manufacturing process is carried on with the aid of power and ten or more workers are working and to premises where manufacturing process is carried on without the aid of power if twenty or more workers are working. In this State we have by notification extended the provisions of the Act to non-power factories employing less than twenty but more than nine persons. The Act is a counterpart of the Industrial Disputes Act in so far as it regulates the actual working conditions.

“ *Employees' State Insurance Act*.—The Act is the first of the kind to promote social security of the workers. It provides for

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an integrated scheme of social insurance providing for factory workers both medical care and cash benefits in respect of the three contingencies of sickness, employment injury and child birth. Medical benefits will be extended to the workers' families also. It is decided to introduce the scheme in one centre in the State.

Minimum Wages Act, 1948.—This Act provides for fixation of minimum wages in 13 employments specified in the Schedule to the Act. It also regulates the daily hours of work, spread over weekly, days of rest, overtime wages, etc. Government have power to add to the Schedule. Minimum rates of wages have been fixed in 11 of the 12 employments mentioned in Part I of the Schedule to the Minimum Wages Act. No minimum wages have been fixed for employment in lac manufactory mentioned in Part I of the Schedule as the total number of workers is less than 1,000 in the entire State. Minimum wages for employment in agriculture and its ancillary employments like dairy, etc., have to be fixed before 31st December 1953. The Government of India considered that the effect of this legislation will be wholesome if it is applied in low wage areas in this State where wages are abnormally low and call for immediate action. With a view to locate low wage areas, an enquiry has been conducted by the Economic Adviser to Government recently and the analysis of the data collected is in progress. Minimum wages in agriculture will be fixed as early as possible.

Plantations Labour Act, 1951.—This Act provides for the welfare and regulation of the conditions of work of plantation workers. It applies to all tea, coffee, rubber and cinchona plantations of 25 acres or more and where 30 or more persons are employed. The Act has not been brought into force pending framing of rules. In order to secure uniformity in rules, the Government of India have taken up the drafting of model rules under the Act.

The Employees Provident Fund Act.—It was passed by the Parliament recently and is intended to provide provident fund benefits to the industrial employees in factories and establishments engaged in the manufacture or production of cement, cigarettes, electrical, mechanical or general engineering products, iron and steel, paper and textiles. Power is taken to bring other industries within the purview of the Act. Even though some factories and firms have provident fund schemes of their own, most of the factories have no provident fund arrangements. A draft scheme framed under the Act has been published by the Government of India and the question of finalising it is under their consideration. A Regional Provident Fund Commissioner and three Provident Fund Inspectors have been recently appointed for the implementation of the Provident Fund Scheme in this State.

The Madras Shops and Establishments Act, 1947.—This Act provides for the regulation of conditions of work and payment of wages of employees in shops, commercial establishments,

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restaurants, theatres, etc., in this State. The Act has been extended to the City of Madras, all municipalities, and major panchayats. It has been in force for the past four years. The question of amending the Act in the light of the experience gained in its actual working is under consideration.

"The purpose of these legislations, which has been served to some extent, has been to recognize the status of labour in industry and to ensure for it, some share of the profits. Under the awards of Industrial Tribunals, the wages of labour have tended to be related to profits, and to be frequently reinforced by bonus payments absorbing a good part of the profits. This has resulted in giving organized labour a position of leadership in the matter of wages and working conditions. It has also demonstrated the inevitable partnership which exists between employers and employees in the productive process of the country. On the whole, both employers and employees have under these real mutuality of their interests. To this end, the Labour Department is directing its efforts, because in industrial peace is industrial prosperity. Sir, I move the Demand."

MR. SPEAKER :—"Motion moved—

That the Government be granted a sum not exceeding Rs. 18,27,100 under Demand XXIV—Labour including Factories.'

I fix three hours for this Demand. The Hon. Minister will reply at 3 o'clock. The hon. Member Mr. K. P. Gopalan will now move his cut motion."

11-40 a.m. * SRI K. P. GOPALAN :—"Mr. Speaker, Sir, I move—

'That the allotment of Rs. 18,27,100 under Demand XXIV—Labour including Factories be reduced by Rs. 100.'

"Sir, I am moving the cut motion for several reasons which I shall state presently. First of all, I am of opinion that of all the departments of the Government, the working of the Labour Department is a miserable failure. Secondly, the attitude of the Congress Government towards labour is very unsympathetic and pro-capitalistic. Thirdly, the Hon. the Labour Minister has stated that the Government have passed so many laws to safeguard the interests of labour, but when we take into consideration the implementation of those laws, it is a failure.

"The Hon. Minister has stated 'In industrial peace is industrial prosperity.' I agree, but industrial peace and industrial prosperity will come only if the workers are conceded their reasonable demands. In this country, so many workers have sacrificed their lives to get freedom of association and organization. So many labour laws have been passed by the Government. But even now have the workers got the right of association in this country? No. I can say that even now the capitalists are suppressing the workers and are not allowing them to form trade unions. Yesterday, I got a report from the Arthala Tea

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Estate in South Malabar that the Manager of that estate was forcing the workers to sign a petition drafted by him. Like this, the workers in many places, are not given the right to form trade unions. In my own place, namely, Palayangadi, the management has forced the workers to affix their signatures to a document which lays down, among other things, that they should resign from the union and that they should receive any wages the Manager fixes.

“Regarding freedom of association, I want to say that if a trade union is formed, the managements will at once dismiss the trade union workers. But I want to submit that according to the spirit and provisions of the Act, if a worker is to be dismissed, he must be given 14 days’ notice. But this provision is not complied with and the workers are dismissed according to the whims and fancies of the employer. Even if the dismissed worker writes about this to the Factory Inspector or the Labour Commissioner, he says he cannot help it. For instance, in Cannanore there are two Factory Inspectors and if the workers approach them, they say that their powers are limited and that they have only to report the matter to the Regional Labour Inspector. Sir, what is the use of spending money in the name of labour and working class if we do not give full powers to the Factory Inspectors in this matter?

“In the Arthala Tea Estate one worker was beaten by the maistry of that estate and another worker was dismissed. This is what is happening in the country now.

“In Madras City, there is a press called the Artisan Press. In this press, there was a dispute between the workers and the management. Efforts towards conciliation failed and after that, the Government never cared to bring up the matter before the Industrial Tribunal. Even subsequently four workers were dismissed. The Labour Officer mediated and said that the dismissal was unjust and that the workers should be taken back. But the press-owner refused to take back the workers. What have the Government done in this matter? Is there any law for compelling the managements to take back the workers? (At this stage, the Deputy Speaker occupied the Chair.)

“Sir, Article 43 of the Constitution says—

‘The State shall endeavour to secure, by suitable legislation or economic organization or in any other way, to all workers, agricultural, industrial or otherwise, work, a living wage, conditions of work ensuring a decent standard of life and full enjoyment of leisure and social and cultural opportunities and, in particular, the State shall endeavour to promote cottage industries on an individual or co-operative basis in rural areas.’

I do not ask the Government to bring about a Communist State, but I want to ask whether they are prepared to implement the provisions contained in the Constitution in so far as they relate to bettering the conditions of the workers.

“Now, I want to deal with the question of industrial disputes and conciliation. We have got the Industrial Disputes Act and

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an Amending Act constituting an Appellate Tribunal. These two Acts are Central Acts. I want to know how these Acts are worked in this State. Suppose there is a labour dispute and there is a strike. Will the dispute be taken to the Industrial Tribunal? Suppose a worker has some grievance. He may put forth his grievance before a Court but not before the Industrial Tribunal. His case will never be taken before the Industrial Tribunal. On the other hand, if the interests of the capitalists are endangered, then the dispute will be taken to the Industrial Tribunal or will be considered as a fit case for conciliation. Suppose there is a strike in a factory. The matter will be reported to the Labour Officer who, in turn, will report it to the Labour Commissioner. But it will take months to get a reply. Afterwards, the Labour Commissioner will proceed to the place of dispute and call for the representatives of capital and labour. He will hear their viewpoints and try to conciliate them. Even then, he has got the power to compel the capitalist to accept the just demands of the workers.

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a.m.

"If the conciliation fails, the matter will be referred to an Industrial Tribunal. The Tribunal will take four years to consider the disputes and will give an award in the fifth year or so. When this award is given, the Government cannot enforce it. If a capitalist refuses to abide by the award given by a Tribunal, he will be asked to pay a fine of Rs. 200 or so. In our country the industrialists and capitalists never care for the awards of these Tribunals and if they are fined, they pay the fine and go away. That is the position. The Hon. Labour Minister said that there were Appellate Tribunals. Of course, there is the Appellate Tribunal and its head office is in Bombay. If we take a dispute to that Appellate Tribunal, it will take five years before they come to a decision. In Malabar, the handloom workers of the Chirakkal taluk referred a dispute to the Appellate Tribunal. They wanted to get bonus for 1945, 1946 and 1947. In the years 1945 and 1946, the capitalists got huge profits and so the workers wanted bonus. I wish to bring to the notice of this Honourable House that the Appellate Tribunal has not yet given its verdict in this case, even after five years. Whenever cases are referred to the Tribunal and the Appellate Tribunal, the working class never get any benefit. These serve only as weapons given by the Government to the capitalists for crushing the working class, for smashing the poor toiling workers and for killing the trade union movement. These things only help the capitalists and industrialists to thrive. That is the point that I wish to place before the Hon. Labour Minister. This is the sort of benefit that the poor working class is getting from these Tribunals.

"Now, what are the defects in the working of these Industrial Tribunals and the Appellate Tribunal? The first is that they do not serve as conciliation bodies for the workers, but serve as conciliation bodies for the capitalists and factory-owners. Secondly, no qualified men are appointed to these Tribunals. With due respect to those who are on these Tribunals, I wish to bring

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to the notice of the Hon. Labour Minister that only pensioned officers are appointed to these Tribunals. They will have only a legalistic approach to the problems and will never sympathetically consider the demands of the workers. What is the point in appointing retired Judges and other retired people for such jobs? These people have no experience whatsoever of the labour problems and the difficulties of the working class. Only those people who know something of labour laws, who know the various difficulties and problems of the working class and who have got some sympathy towards the working class must be appointed to these Tribunals. This is what I wish to impress on the Hon. Minister. The third defect is, there is enormous delay. The fourth defect is waste of money. I have got some little experience of these labour unions and how they are working. If a union is asked to conduct a case before a Tribunal, where will the union go for money? I think the workers will be paying a subscription of two annas every month. With this subscription received from the workers, it will not be possible for the union to conduct the cases. Under these circumstances, the working class is not able to conduct the cases before Tribunals in a satisfactory manner. On the other hand, the capitalists and industrialists who have a lot of money with them engage big lawyers to represent their case before Tribunals. They produce many documents and witnesses before the Tribunals. They spend money in so many ways to win their case. But, the poor workers simply stand before the Tribunal being unable to adequately represent their cases as they have no money. In the end, the capitalists succeed in getting a decree in their favour. This is what is happening at the present moment.

“My humble suggestion to the Hon. Labour Minister is that, regarding the settlement of industrial disputes, we must have our own Act. Items 22 to 25 of the Concurrent List in the Constitution refer to this question. The State can make laws. I request the Hon. Minister to bring forward necessary legislation in this regard for settling industrial disputes. We must have our own machinery for settling industrial disputes. There should not be any delay in the settlement of disputes. That is the only point that I wish to stress. Secondly, qualified persons should be appointed to these Tribunals. Thirdly, if the Tribunal gives a certain award, the Government must enforce it by law. There must be permanent industrial courts. The Government may wait for a month and if within that period no settlement is reached, the case must be referred to industrial courts which must be set up in every industrial area.

“About the standing orders, if a worker sees the standing orders, his blood will boil. Because, the Government have framed these orders only to favour and help the capitalists. In framing these orders, the Government must have given due regard to the views of the representatives of labour. I hope the Hon. Minister will look into the matter and see that these orders are changed so as to help the poor labourers and workers.

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" The Hon. Labour Minister referred to the Minimum Wages Committee. I have referred to this subject on a former occasion when I was speaking about the beedi factory. The Minimum Wages Committee appointed for the benefit of the municipal workers recommended Rs. 40. What have the Government done? They have fixed only Rs. 25, the basic salary being Rs. 7. For fixing this basic salary of Rs. 7 the Government have spent a huge sum in constituting the Committee and asking them to go into the question. In the beedi factory, the poor workers are getting very low wages. It is high time the Government take up this question in right earnest and see that all workers in factories, industrial establishments and other places get a minimum living wage. The Venkataramayya award also is thrown to the winds now.

" Regarding the standing orders, the Government must appoint a Committee consisting of representatives of labour, factory-owners, and the Government to recommend suitable orders. This is a very modest request and I hope the Government will accede to it. I also request the Government to enforce the recommendations of the Minimum Wages Committee on the factory-owners and other employers.

" At present, the factory-owners are not observing the various provisions of the Shop Assistants Act. In many places, the workers do not know that such an Act exists. This is the case in Cannanore and other places where this Act is supposed to be in force. Workers are asked to work for ten hours and more. They are now undergoing a lot of difficulties and are not at all treated properly. The Shop Assistants Act is not helping them. I appeal to the Hon. Minister for Labour to look into the matter and see that they are relieved of these difficulties. The Government must take some effective steps to help these poor people. The sweet words of the Hon. Chief Minister and the Labour Minister will never help them. They must show their sympathy towards the labourers in action and not in words. The workers will never be benefited by such sweet words. If the Government fail to take effective steps to save these poor people from the exploitations of the capitalists and industrialists and factory-owners then these suffering workers, labourers and others together with all democratic forces in this country will change this Government, and form a National United Democratic Front Government to help themselves out of the difficulties. The Congress Government which talks so much of freedom from slavery and all that, did not care to relieve these workers from slavery under these avaricious capitalists and industrialists. What is the use of the freedom which these Congressmen are supposed to have achieved for the country? These poor toiling workers are continuously being exploited by these heartless capitalists and we don't find any human touch in their approach. I can give facts and figures to prove that the several provisions of the Shop Assistants Act which the Congress Government have passed for the benefit of the workers, are being misused and the workers are not at all benefited

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by them. These provisions only serve as weapons for the capitalists to crush the workers, workers' organizations and the whole trade union movement. The Government must lose no time in attending to this problem. Otherwise, I warn this Congress Government that the workers will grow impatient out of their untold sufferings and change the Government. Starving men won't wait any longer. This morning it was said that Police officers were stationed in the B. and C. Mills to help the capitalists. If a worker is threatened by the capitalist, or the factory-owner, will the Police be sent immediately there to help the poor worker? No. Therefore, I say that this is a capitalist Government; this is an anti-working class feudal Government. This Government is monopolized by capitalists. This Government will fall if the demands of the working class are not met. Lastly may I humbly request the Government to take immediate and necessary steps to better the conditions of workers in this State? "

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* SRI R. KUPPUSWAMI :—“கனம் உதவி சபாநாயகர் அவர்களே, கனம் தொழில் மந்திரி அவர்கள் கொண்டு வந்த இந்த மானியத்தை நான் ஆதரித்து சில வார்த்தைகள் சொல்ல விரும்புகின்றேன். தொழிலாளர்கள் தங்களுடைய வாழ்க்கைத்தரத்தை உயர்த்திக்கொள்ளவேண்டுமென்று தொழிற்சங்க வாரியாக அவர்களுடைய கிளர்ச்சியை, இன்று மட்டுமல்ல, ஆங்கிலேய சர்க்கார் இருந்த காலத்திலிருந்தே, இய்து கொண்டு வருகிறார்கள். காங்கிரஸ் சர்க்கார் ஏற்பட்டவுடனே, தொழிலாளர்களுடைய வாழ்க்கைத்தரத்தை உயர்த்தவேண்டுமென்ற அடிப்படையில், அவர்களுக்குப் போதுமான பாதுகாப்பு அளிக்கக்கூடிய முறையில் அவர்களுக்கு மத்திய சர்க்காரிலும், மாகாண சர்க்காரிலும், சட்டங்கள் செய்திருக்கின்றார்கள். அந்த சட்டங்களை அவர்கள் தங்களுக்குப் பயன்படக்கூடிய முறையிலே பயன்படுத்திக்கொள்ள அவர்கள் முயற்சி செய்துகொண்டு வருவதிலே பல சிக்கல்கள் ஏற்பட்டிருக்கின்றன. அதற்குத் தகுந்தாற்போல், இன்று தொழிலாளர்கள் தங்களுடைய உரிமைகளைக் காத்துக் கொள்ளக்கூடிய அளவு சட்டங்களை சர்க்கார் செய்திருந்தாலும்கூட, அந்தச் சட்டங்கள் அவர்களுக்குப் பயன்படாதவாறு தடைகளைச் செய்து, அதை அவர்கள் உணர்முடியாத அளவுக்கு அரசியல் கட்சிகளின் பேரால் கம்யூனிஸ்டுகள் போன்ற டலகட்சிகள் தொழிலாளர்களைத் தவறான வழியில் இழுத்துச் சென்று, தொழிற்சாலைப் பிரதேசங்களில் அமைதிபைக் கெடுத்து வருவது எனக்கு நன்கு தெரியும். இன்று சர்க்காருடைய கொள்கை, ‘இந்த தேசத்தில் குறிப்பாக சென்னை மாகாணத்திலுள்ள, தொழிற்சாலைப் பிரதேசங்களில் அமைதியைக் காணவேண்டும், உண்மையாக உற்பத்தியைப் பெருக்கவேண்டும், தொழிற்சாலைகளைக் காப்பாற்றக்கூடிய அளவுக்கு அதில் வேலை செய்யக்கூடிய தொழிலாளர்கள் தங்களுடைய உரிமைகளை அடையக்கூடிய அளவிற்கு, வாழ்க்கைத்தரம் உயரவேண்டுமென்ற அளவிற்கு,’ இருக்கவேண்டியது அவசியம்.

“ஆனால், தொழிலாளி, முதலாளி இவர்களுக்குள் ஏற்படக்கூடிய சச்சரவுகள், ‘எப்படி ஏற்படுகின்றன? எங்கிருந்து பிறக்கின்றன? எதனால் ஏற்படுகின்றன?’ என்பதைப்பற்றி ஆராய்ந்து பார்த்தால், உண்மையில் சச்சரவுகள் ஏற்படுவதன் காரணம் தெரியும். இந்த சச்சரவுகளை சரியான முறையில் சமாதானம் செய்து, தொழிற்சாலைகளைக் காப்பாற்றக் கூடிய அளவுக்கும், தொழிலாளிகள் அமைதியாக வேலை செய்து, தங்களுடைய ஜீவனோபாயங்களைக் காப்பாற்றிக்கொள்ளும் அளவுக்கும், வழிவகை காணவேண்டியது அவசியம் தான். ஆனால், சர்க்கார் அதற்குத் தகுந்த சட்டங்கள் செய்திருந்தாலும்கூட, அந்தச் சட்டங்களை உடையாக்கக்கூடிய முறையில் சில தவறுகள் ஏற்பட்டிருக்கின்றன. குறிப்பாக எடுத்துக் கொண்டால் தினசரித் தகராறுகள் தொழிற்சாலைகளில் அனேகம் ஏற்படுகின்றன. சிறிய பாக்கிரியாக இருந்தாலும் சரி, பெரிய பாக்கிரியாக இருந்

[Sri R. Kuppuswami]

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தாலும்சரி, தினசரித் தகராறுகள் ஏற்படுகின்றன. இந்தத் தகராறுகளைத் தீர்ப்பதில் லேபர் ஆபீசர் முதற்கொண்டு, லேபர் கமிஷனர் வரைக்கும் தலையிடவேண்டியிருக்கிறது. அப்படித் தலையிட்டு சமாதானம் செய்யும் போது சில சந்தர்ப்பங்களில் சமாதானம் தவறிவிடுகிறது. சமாதானம் தவறிவிட்டால் வேலை நிறுத்தம் போன்ற நிகழ்ச்சிகள் ஏற்பட்டு உற்பத்திக்குப் பங்கம் ஏற்படுகிறது. உற்பத்திக்குப் பங்கம் ஏற்பட்டால் தேசத் துற நஷ்டம்.

“இம்மாதிரி தொழிலாளர்கள் சமாதானத்தைக் காணும்போதும், முதலாளிகள் சமாதானத்தைக் காணும்போதும், இருசாரும் சமாதானம் அவசியமென்று உணருகின்ற அளவுக்கு இன்னும் போதிய பயிற்சியை முடலாளிகளும் அடையவில்லை, தொழிலாளிகளும் அடையவில்லை யென்று நான் தெரிவித்துக்கொள்ள ஆசைப்படுகிறேன். அதற்கு சர்க்கார் அவசியம் ஒரு ஏற்பாடு செய்யவேண்டும்.

“இன்றைய தினம் தொழிலாளர்கள் முதலாளிகளைக் கண்டு ஆத்திரப்படுவதும், முதலாளிகள் ஏராளமான லாபத்தை சம்பாதித்துக் கொண்டார்கள், அந்த லாபத்தில் பங்குவேண்டும், தாங்கள் பெறுகின்ற ஊதியம் மிகக் குறைவு’ என்று மனக்குறையின் காரணமாகக் கிளர்ச்சி செய்வதும் வழக்கம். சம்பள உயர்வுக்கு கிளர்ச்சி செய்யும்போது எந்த அடிப்படையில் அமைதிக்கு பங்கமின்றி கிளர்ச்சி இருக்கவேண்டுமென்பதில் சர்க்கார் போதிய கவனத்தை செலுத்தி, சமாதானம் ஏற்படக்கூடிய அளவுக்கு ஒரு வகை செய்யவேண்டும்.

“சாதாரணமாக ஒரு பாக்கியை ஆரம்பிக்க ‘ஒரு முதலாளி எவ்வளவு முதல் போடுகிறான். அந்த முதலை வைத்து எவ்வளவு உற்பத்தியைப் பெருக்கி, வியாபாரம் செய்து, லாபத்தை அடைகிறான்’ என்பதான கணக்கு தொழிலாளிகளுக்குத் தெரியாது. ஆனால், வருஷ முடிவில் பாலன்ஸ் ஷீட் தயார் செய்கின்றார்கள். பாலன்ஸ் ஷீட் தயார் செய்து, தங்களுடைய ஆடிட்டரை வைத்துக்கொண்டு, கணக்கைச் சரிபார்த்து, ஸேல்ஸ் டாக்ஸ், இன்கம் டாக்ஸ் ஆபீசர்களுக்குக் கணக்கை அனுப்பிவிடுகிறார்கள். குறிப்பிட்ட பாக்கியில் முதலாளிகளின்கீழ் வேலைசெய்கின்ற தொழிலாளர்களுக்கு, ‘வரவுசெலவுத் திட்டங்கள் என்ன? எப்படி பாலன்ஸ் ஷீட் தயார் செய்கின்றார்கள்? அந்தக் கணக்கு சரியாகத் தயார் செய்யப்பட்டதா?’ என்றெல்லாம் தொழிலாளர்களுக்குத் தெரியாத காரணத்தினால், தொழிற்சாலைகளில் லாபம் இருந்தாலும் சரி, இல்லாவிட்டாலும் சரி, முதலாளிக்கு லாபம் இருப்பதாகத்தான் தொழிலாளி நினைத்துக்கொள்ளுகிறான். உண்மையில் தொழிற்சாலையில் லாபம் இல்லாவிட்டால், லாபம் இருக்கிறதென்று சொல்வதில் தவறு இருக்கிறது. உண்மையில் லாபம் இருந்து, எனக்கு லாபமே இல்லையென்று முதலாளிகள் சொல்வதிலும் எந்த விதமான அர்த்தமும் இல்லை. இம்மாதிரி அடிப்படையான ஒரு விஷயத்தில் தான் அனேகமாக தொழிற்சாலைகளில் தகராறு சம்பள விஷயத்தில் ஏற்படும். சர்க்கார் தலையிட்டு அதற்குத் தகுந்த சட்டங்களைச் செய்து, ‘வருஷ ஆரம்பத்தில் முதலாளி போட்ட முதல் என்ன? வருஷ முடிவில் லாபம் என்ன? வரவு செலவுகள் என்ன? என்று தொழிலாளிகளுடைய’ பிரதிநிதிகளையும், முதலாளிகளையும் வைத்துக்கொண்டு கிரங்க்யாக இருவரும் ஒத்துக்கொள்ளக்கூடிய அளவுக்கு, கணக்கைப் பரிசீலனை செய்ய, கூடுமானவரையில் சர்க்காரும் கூட இதில் தலையிடாமல், தொழிலாளிகளும் முதலாளிகளும் சேர்ந்து அந்தக் கணக்குகளை பரிசீலனை செய்து ஒத்துக்கொள்ளக்கூடிய அளவுக்கு ஒரு சூழ்நிலையை உண்டாக்கினால் கண்டிப்பாக கூடியவரைக்கும் தொழிற்சாலைப் பிரதேசங்களில் அமைதி ஏற்படுமென்பது என்னுடைய அபிப்பிராயம்.

“ஆனால், இன்று நமது தேசத்தில் அம்மாதிரி இல்லை. முதலாளிகள் சொல்லக்கூடிய கணக்கை தொழிலாளி ஒப்புக் கொள்ளவேண்டும். தொழிலாளிகள் அதை ஒப்புக் கொள்ள மறுத்தால் சர்க்கார் மத்தியஸ்தம் (அட்ஜூடிகேஷன்) வைத்திருக்கிறது. அட்ஜூடிகேஷன் தீர்ப்பு எப்படி வேண்டுமானாலும் இருக்கலாம். தொழிலாளிகளுக்குச் சாதகமாக இருக்க

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லாம் அல்லது முதலாளிகளுக்குச் சாதகமாக இருக்கலாம். தொழிலாளிகளுக்குப் பாதகமாக இருக்கலாம் அல்லது முதலாளிகளுக்குப் பாதகமாக இருக்கலாம். இம்மாதிரி சர்க்கார் சட்டபூர்வமாகத் தலையிட்டு எந்த சமாதானம் செய்தாலும் அது இருசாராருக்கும் திருப்தியாக இருக்காது. இரு சாராருக்கும் திருப்தியில்லையென்று சொன்னால் உற்பத்தி குறையும். தொழிலாளிகளுக்கு வேலையில் உற்சாகம் இருக்காது. முதலாளிகளுக்கும் தங்களுடைய முதலைப் போட்டு, தொழிற்சாலைയിல் வேலை செய்து அதிகப் படியான உற்பத்தியைப் பெருக்கி தொழிற்சாலையை நல்ல முறையில் நடத்தி வருவேண்டுமென்ற உற்சாகம் ஏற்படாது.

“அதனால், சர்க்கார் தொழிற்சாலைகளில் அமைதியைக் காணவேண்டுமென்றால், முதலாளிகளுக்கும் தொழிலாளிகளுக்கும் சரியான ஒரு சமாதானத்தை உண்டாக்கவேண்டுமென்றால், முதலில் அந்தந்த பாக்டரியில், சின்ன பாக்டரி, பெரிய பாக்டரி, எந்த தொழிற்சாலையாக இருந்தாலும் சரி, வரவு செலவுக் கணக்கில் இரு சாராருக்கும், சர்க்கார் தலையிடாமலேயே சமாதான உடன்படிக்கை ஏற்படக்கூடிய அளவுக்கு ஒரு கொள்கையை வகுக்கவேண்டுமென்று நான் கேட்டுக்கொள்ளுகின்றேன்.

“அடுத்தபடியாக இன்னும் முக்கியமாக கோயமுத்தூர், மதுரை, சென்னை போன்ற பிரதேசங்களில் ஏராளமான தொழிற்சாலைகள் இருக்கின்றன. இப்பொழுது ‘தொழில் தகராறுகள் ஏற்பட்டு, அதனால் வேலை நிறுத்தம் ஏற்பட்டு விடுமோ’ என்ற பயம் ஏற்படுகிற காலத்தில்தான் சர்க்கார் தலையிட்டு, அட்ஜாடிகேஷன் கொடுக்கின்றார்கள். இப்பொழுது, தொழில் தகராறுகள் ஏராளமாக இருக்கிற காலத்தில் கோயமுத்தூர், மதுரை, சென்னை நகரம் போன்ற சென்னை மாகாணத்திலிருக்கின்ற தொழில் பிரதேசங்களை, 4, 5 பிரதேசங்களாக ஒன்றுசேர்த்து தொழிற்சாலைப் பிரதேசமாக மாற்றி, நிரந்தரமான இன்டஸ்ட்ரீஸ் கோர்ட்டுகளை அங்கங்கே ஏற்படுத்தவேண்டும். இதுமாதிரி நிரந்தரமான இன்டஸ்ட்ரீஸ் கோர்ட்டுகள் இப்பொழுது கிடையாது. அதற்காக சர்க்கார் உடனடியாக ஒரு திட்டம் வகுக்க வேண்டுமென்று கேட்டுக்கொண்டு, இந்த மான்யத்தை ஆதரித்து, என்னுடைய பேச்சை முடித்துக்கொள்ளுகிறேன்.”

* SRI S. C. C. ANTHONY PILLAI:—“Mr. Deputy Speaker, Sir, I rise to support the Cut Motion. In doing so, I wish to bring to the notice of the Government the irregularities and the unfair practices resorted to and the mal-administration of what is euphemistically called the Labour Department, whereas it should be correctly characterized as the Employers' Department. It is true that my criticisms will be levelled against the previous Ministry with regard to certain incidents and episodes. But it is necessary to narrate them, and to refer to them, because unless the present Ministry is apprised of these irregularities, it will not be possible for them, if they are so minded, to take effective action to remedy matters. I have known the present Minister for Labour as my colleague in the City Corporation Council as a man of integrity, and I have the greatest regard for him for his sincerity of purpose. But, at the same time, as he is a man new to the field of industrial relations I must warn him that unless he is ready to take effective and affirmative steps to cleanse the Augean's stables of the Labour Department, if I may mix my metaphors, it may turn out to be the graveyard of his reputation, that of the Congress and of the present Ministry of which he is a Member.

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“Since the beginning of the last war and more particularly since the end of the last war, various efforts have been made by the Government of India to place on the Statute Book some

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labour laws with a view to further the establishment of what the Congress calls a Welfare State. A new Factories Act has been brought into force. The Industrial Disputes Act has come into force. The Minimum Wages Act has come into force. The Industrial Disputes Appellate Tribunal Act and several other Acts referred to by the Hon. the Minister for Labour have been brought into force. I must say, Sir, that through these Acts and laws the Government have now created a new occupation or profession. A profession of blackmail is being practised under the guise of enforcement of labour legislation. A host of factory inspectors have been appointed whose main function is to blackmail petty traders, small industrialists and others into giving them hush money on their promising that they will not be prosecuted. If only the Hon. the Minister for Industries would care to examine the number of prosecutions that have been sanctioned and launched against traders and industrialists for alleged violation of labour laws, he will know that the people who have been so charged were only petty traders and small industrialists and the big sharks, the big shop-keepers and big employers who are violating the laws have escaped with immunity and impunity. It is true that my criticism is only general. But I can also illustrate it with one or two instances to show how the Labour Department has refused to investigate any allegation of violation of labour legislation, if that allegation referred to big employers who could wield great influence with the Ministers. In November 1950, I brought to the notice of the Commissioner of Labour that Mr. Goenka, an important employer in the newspaper industry, was systematically violating the Factories Act and that the overtime rates of wages prescribed under the Factories Act were not being paid to any worker whatsoever. The Commissioner of Labour refused to investigate the case unless I got him specific instances. I told him that on no occasion was the Act obeyed. Nevertheless, I gave him, later, one or two instances. Let me tell hon. Members why he put me this question of furnishing specific instances. That question was put to me on the assumption that workers would normally be afraid to give their names and furnish details as to the days on which they worked overtime, the days for which they were not paid overtime wages, etc., for the reason that their employer would discover who gave this information to the labour leaders and victimize them. Despite this fear of victimization, I gave specific instances to him—names of persons who worked, the days on which they worked and the days for which they were not paid wages. One and a half years have elapsed since then and no efforts have been made by the Labour Department in this matter to set things right even though they know that Mr. Goenka was violating the provisions of the Factories Act. This is the manner in which the officials of the Labour Department administer the Factories Act. That is why I say that the present labour laws administered by the present personnel of the Labour Department have created a class of professional blackmailers.

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“ Let me now come to another aspect of labour administration. With regard to enforcement of awards given by Industrial Tribunals, if we go into the records we will find that there is enormous delay in the implementation of these awards by the employers. But little or no action is taken by the Government. If we read the recent Administration Report of the State, we will find that, only in six cases, prosecutions have been launched against the employers for non-enforcement of awards. Here again, let me illustrate my case with an instance or two, with which I am thoroughly acquainted. In 1947, as President of the Chrome Leather Workers' Union, I was in touch with the authorities on a dispute that arose as a result of low wages being paid to the workers. They were paid at the rate of eight or nine annas per day. In spite of my writing to the officials concerned, the Government refused to refer that dispute to a tribunal for adjudication. In sheer desperation, the workers went on strike in order to arrive at some settlement with the employer. The matter was referred to the Industrial Tribunal nearly eight months later. The management of that company, however, went up to the High Court and got an order to the effect that the Tribunal had no jurisdiction to arbitrate on the dispute. Finally, the matter was taken to the Supreme Court which held that the Government had the right to refer disputes to the Industrial Tribunals for adjudication. The award was given two years later, that is, in 1949. That award has not been implemented yet. What is the action the Government have taken to bring the management to book for non-enforcement of the award? When was action taken? In 1952, the Government prosecuted the management of the Chrome Leather Co., Ltd., for the non-enforcement of the award given in 1949 and the management has been fined Rs. 25! The workers are supposed to be satisfied with this meagre fine of Rs. 25 imposed on the management. The Industrial Disputes Act gives enormous powers to the Government of Madras and other authorities to deal with the management more severely. The Industrial Disputes Act gives power to the Government to collect arrears of wages due to the workers under awards of Tribunals as though they were arrears of land tax. Whilst workers have been deprived of their legitimate wages for three years, no action has been taken by Government under these powers. Let me now take the other side of the picture. When, for instance, some labour leader violates technically one of the provisions of the Industrial Disputes Act, there is no hesitation, no reluctance, and no delay, in prosecuting him and other officials of the union. I have myself been a victim of this policy along with various other members of the Executive Committee of the Madras Labour Union—Mr. Pakkiriswami Pillai and M. V. Elumalai and others for not complying with the provision of giving fourteen days' notice for a strike in the B. & C. Mills. On the other hand, at about the same time in October 1950, the management of the B. & C. Mills refused to implement the award which was given by the Madras Industrial Tribunal in spite of the fact that the Appellate Tribunal refused to give a stay of the award. What was the action taken by the Labour Department of the

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Government for this violation? No action whatever has yet been taken. I submit, Sir, there is one law for the rich and another for the poor. It is in this manner that the Labour Department is administering labour legislation. A lot of bitterness exists with regard to the manner in which industrial disputes are referred to Industrial Tribunals.

“Again the Labour officials who are supposed to supervise the implementation of the provisions of the legislation are themselves open to temptation. Action or inaction on the part of the Labour official in connexion with the reference of industrial disputes to a Tribunal may mean to a particular employer lakhs and lakhs of rupees. If he pays starvation wages, he knows a reference to the Tribunal would mean increase in the amount he has to pay by way of wages. Therefore, that employer would be ready to persuade in various dubious ways the concerned Labour official in order to see that the matter is not referred for adjudication.

“Let me cite specific instances in support of what I have said. Yesterday, my hon. Friend, Mr. Pakkiriswami Pillai referred during question-time to the non-reference of the dispute in the Ambi Ayyar's Hotel case. An award has been given by the Madras Industrial Tribunal in the catering trade. That award has raised the wages of workers and the dearness allowance and holidays for workers. I know for certain that Government have called upon Labour officers in the City of Madras to persuade other managements to implement these wage scales and rates of dearness allowance. Despite the fact that Mr. Ambi Ayyar is not paying these wages, the Commissioner recommends that the dispute should not be referred to the Tribunal. When the matter is taken to the concerned Secretary to the Government in the Development Department, he writes saying that for some reasons it cannot be referred to the Tribunal. When I protest and write to him saying that it is utterly discriminatory, I don't get a reply for two months. After two months when I saw him, he told me that he had instructed the Labour Commissioner to settle the particular matter by advising the management of Ambi's Cafe to implement the award in respect of scale of wages. After a delay of another two months, when my hon. Friend Mr. Pakkirisawmi Pillai, puts a question now in this House, the same reply is given. Are the workers to wait for months together simply to see whether the dispute will be referred to the Tribunal or not? This particular delay cannot be, I say is not, a haphazard delay. It is purposive delay, it is delay for the purpose of benefiting a particular employer, in whom the Labour Commissioner is interested.

“Let us take certain other disputes. The Hotel Industry award, which I have already referred to, has raised the rates of wages to Rs. 26 per mensem and the dearness allowance to Re. 0-2-6 for every point rise in the index. The total emoluments that a worker in the industry now gets, work out to Rs. 56 to Rs. 60. A very big company, the Spencer & Company, is also

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in the catering trade. The wage it pays to the servers and waiters is only Rs. 9 to Rs. 10 per mensem. The dearness allowance is about Rs. 25 to Rs. 30. Despite the fact that it is very big employer, it pays lower rates than the petty hotel proprietors employing two or three workmen. Efforts were made by the employees to persuade the Government to refer the dispute regarding wages to the Tribunal. The concerned Labour officer recommended that the basic wage should be raised to Rs. 26 per mensem but the Commissioner of Labour immediately took up the file and saw to it that the Government did not refer the dispute to the Tribunal. After nine months of fruitless persuasion, the workers went on strike. After that, the case was taken to the High Court. After the issue of a *writ of mandamus*, the Government appealed against it. Finally the result was, they referred the question of the dismissals consequent on the strike, to the Industrial Tribunal. That is the manner in which the important officials of the Labour Department deal with genuine industrial disputes. The same applies *mutatis mutandis* to the question of reference to the Tribunal of the disputes in the Express Group of papers and *Swadaesamitran*. I say this was done in conspiracy with the concerned employers because they happened to have influence with the Government to see that these disputes were not referred to the Tribunal. In the *Swadesamitran* Printers Company, every worker who was a committee member was singled out and under the guise of retrenchment was dismissed. After the dismissal, we were told that the employers were being given two months' time to consider the recommendations of the Commissioner of Labour. The Commissioner very cleverly assumed that, during the two months the union would collapse because the committee members had been dismissed and in the end he could say the Union had ceased to exist and, therefore, no reference need be made. That is how the Commissioner of Labour has been administering the Act in the interests of the employers.

12-30
p.m.

"Take again the case of the textile workers. In the B. & C. Mills dispute, the Appellate Tribunal gave an award to the effect that the subsistence basic wage for a worker in Madras City should be Rs. 28 per mensem and that once the question of the region to which a uniform wage was applicable was settled, the fair wage should be fixed at something higher than Rs. 28. But with a view to postponing the matter, the Government appointed a tripartite committee to go into the question of wages for textile workers. Investigations have been going on for more than a year and a free licence has been granted to the employers in this industry to deal with the workers as they please.

"Sir, the Hon. Minister referred to the manner in which minimum wages have been fixed in the State. It is a farce. It is a cruel joke that is being played against the workers. The minimum wages have been fixed at Rs. 26 per mensem inclusive of all allowances, by a high-power committee after investigations lasting over one year. This wage is not even sufficient to enable the worker to purchase his family rations like rice, wheat or milo. Is this kind of fixation of sub-human minimum wages

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intended for the purpose of informing the U.N.O. that the Government of Madras or the Government of India have passed minimum wage legislation and are protecting the interests of the workers in this State? I ask, is it merely window dressing for international purposes or for genuinely meeting the needs of the workers and raising their standard of living? It is better that the Government repeal this legislation and say they have no legislation than to make a pretence that they have provided relief for workers in sweated industries.

Lastly, let me come to concrete suggestions. With regard to implementation and enforcement of the Factories Act, the Factory Inspectors should be required to consult trade unions and if they should require a particular Inspector to carry out a surprise raid on a particular factory, he should comply with the request. With regard to the reference of disputes for adjudication, let me remind the House that the Chief Minister advised the then Ministry not to refer the dispute in the B. & C. Mills in 1947, to an Industrial Tribunal and stated that the Government themselves should go into the dispute and effect a settlement. I see no reason why the same procedure should not be adopted by the present Government in certain major disputes, instead of depending on inefficient, biased and corrupt officials to settle disputes."

* SRI K. T. SRIDHARAN :—" Mr. Deputy Speaker, Sir, I rise to support the Cut Motion. I am sorry to say that the Madras Government have no definite labour policy and consequently labour is being exploited by the capitalists and other selfish managements. This is the main cause for the labour unrest in our country. You know, Sir, labour is always trying to better its working and wage conditions. I urge upon the Government to pursue more a preventive policy than a curative policy. The Government should see that labour is given proper wages. The Government should appoint a committee to go into the question of working conditions of all the workers in the different industries of this State and also see that its recommendations are implemented by all the parties. Labour unrest can be got over if this is done. At present, if labour puts forward certain demands, the Labour officers refer them to the managements and if there is any difficulty, the whole matter will be referred to the Government. The Government will in turn refer the matter to an adjudicator. Awards of adjudicators are not generally implemented by the managements and this is how labour unrest is growing. I fully agree with the hon. Member, Mr. Kuppaswami, that the workers must be given a chance to study the profit and loss accounts of the factories, as this would help labour to know the real position of the industries. I wish to go a step further and say that the Government should bring forward a legislation that the labour representatives should be allowed by the management to study the profit and loss accounts of the industries so that there may not be any misunderstanding about the profit or loss accounts. I request the Government to consider this question in detail.

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“ There are Works Committees in all the factories. As far as I could understand, the Committees are doing practically nothing. The labour representatives cannot give any suggestions and ask them to be carried out. The Works Committees are only helping to sabotage the working of labour unions. I, therefore, request the Government to abolish this system of Works Committees.

“ Regarding the implementation of awards, I wish to bring one important case to the notice of the Hon. the Minister for Labour. There was a labour disputes in Chirakkal taluk in the handloom factories and an award was given by the adjudicator. Over that, the managements preferred an appeal to the Appellate Court and the workers are still awaiting the decision. Sir, this is a matter respecting bonus and increment in wages in 1945, 1946 and 1947. It is really painful that the Government, whose duty is to safeguard the interests of the workers, have not taken a decision till now. For the last six months every handloom worker is really starving and the Government have not done anything to relieve their distress. When thousands of workers and their dependents are suffering, the Government, if it is worth the name, should rush to the help of the labourers and show that they have a soft corner for labour. If the Government are not inclined to help labour, I am sure they will certainly lose the backing of the working class of this State. I, therefore, request the Hon. the Minister for Labour to give them some financial help in lieu of, say, subsistence loans. Whenever a question is put to the Hon. Minister, he simply says that there is agreement between the management and the workers. There is in fact no agreement. All the political parties, Congress, Socialist, Communist and Praja, have issued an appeal to the managements as well as to the workers that the workers should work on decreased wages and that the managements should give work on that basis. Even so, not even a single factory has been opened in Malabar. I, therefore, request the Hon. Minister to help the handloom workers of this State.”

• SRI K. RANGA RAO :—“ ఈ దినము సభ్యుల ముందుత్వము లేబరు డిమాండ్ 12-40
 దును వ్యతిరేకించుచూ కట్టావనను బలపరుస్తున్నాను. ప్రభుత్వము గత అయిదు p.m.
 సంవత్సరాలనుండి కార్మికులయొడల అనుసరించుచున్న విధానము కార్మికులయొక్క
 యూనియన్లను నికేదించుచూ జరిపినటువంటి ఆత్మాచారాలకు విరక్తముగానూ
 సంజాయిషీ యివ్వకుండా యున్నది. కార్మికమీద ఆత్మాచారాలు, అక్రమదర్శనలు
 అన్నింటికీ యజమానుల సలహాలను యీ ప్రభుత్వము తీసుకొని అనేకమైన అన్యాయాలచేసింది. కార్మికనాయకులను రిటైను చేయటాకా అనేకమందిని కాల్చివేసింది.
 కార్మికులు యీ ప్రభుత్వానికి పూర్తిగా వ్యతిరేకంగా మారటానికి యీ ప్రభుత్వ విధానమే కారణము. అంతేకాక గతంలో కార్మికులయొక్క కష్టాలను యీ ప్రభుత్వము
 యొక్క వైఖరిమే కాదు. అందువల్ల యూరోజు ఈ కాలెగ్రేసు ప్రభుత్వము గత
 అయిదు సంవత్సరాలనుండి అనుసరించిన ఆత్మాచారాలకుకూడా, సంజాయిషీ చెప్ప
 కుండా, కార్మికులను సహాయము చెయ్యమంటుంది. ఇప్పుడు చక్రవర్తి రాజగోపాలా
 చారిగారి మృతివర్తమకూడా గత అయిదు సంవత్సరములనుండియున్న కాలెగ్రేసు

[Sri K. Ranga Rao]

[26th July 1952]

ప్రభుత్వ విధానమే అనుసరిస్తున్నట్లు కన్పించుచున్నది. ఇంత వరకుకూడా కార్మికులు కోరికలుపంపి వక్కులనుగాని సహాయముగాని గుర్తించకుండా శ్రుతివిధానమునబట్టి వీరి పాలసీ విశదమగుచున్నది. యజమానులు, కార్మికులయడల యే విధమైన విధానము అనుసరిస్తున్నారో ప్రభుత్వంవారిని గమనించమని కోరుతాను. ఈ కార్మికులలో నూటికి యాభదిమంది పల్లెలనుంచి పొట్టకూటికోసంవచ్చి పనిచేయుచున్నారు. ఈ కార్మికులలో ఎంతమంది పనిలేకవుంటున్నారో, వీరి కుటుంబపోషణకు ఏ విధమైన వక్కులు కోరుతున్నారో, యివి ఏ విధంగా పరిష్కారము ఆశ్రయన్నాయో, వీరికి యేమైనా relief ప్రస్తుతము లేదా అనేటటువంటి ఆలోచన యీ ప్రభుత్వానికి లేకుండా యున్నది. ప్రభుత్వం యజమానులకే సహాయము చేయవిధానమును అవలంబిస్తూంటే కార్మికులకు కుటుంబపోషణ జరుగుచున్నదా అనేసంగతి ఎందుకులేసుకొని ఆలోచించును? శ్రమశక్తిని అమ్మకొను వృత్తిని, జీవించే లక్షలాది కార్మికులు కోరికలు పంపి కనీసపు వక్కులు అములుజరుపమని ప్రభుత్వాన్ని వదిలివేయుగా పోలీసునుపెట్టి అణగారినట్లు సహజ అలవాటుయింది. ఈ ప్రభుత్వం యజమానుల లోపాలు, వారు అనుసరించే వర్గము ఏ విధముగా ఉన్నవో గుర్తించుతూ, వారికి సహాయపడుచున్నది. ఇంచే కాకుండా యజమానుల రక్షణకొరకు ప్రభుత్వము పోలీసు సహాయముగూడా యిచ్చి వారిని బలపరుచుచున్నది. అంచేకాని యే న్యాయ విధానమును అవలంబించి పట్లయితే కార్మికులకు కుటుంబపోషణ జరుగవో అట్టిది చేయకుండా, యజమానుల ఆక్రమణ ఆత్మచారాలు, లోపాలు కాపాడు విధానమును యీ ప్రభుత్వము అవలంబించుచున్నదని పూర్తిగా కనబడుచున్నది. యిప్పటికైనా యీ ప్రభుత్వము కార్మికుల వక్కులను, కార్మిక యజమానుల లోపాలను గుర్తించవలెననికోరుతున్నాను. బెజవాడలో సుమారు ఒక వెయ్యిమందికిపైగా పౌండ్రీలలో (foundries) పనిచేస్తూ యంద్రాకూలలో శ్రుతివారు ఆక్రమణ ఒక నూరుమందివారేమే సేసు పనిచేస్తున్నారు. అంచేకాకుండా యేబారు జూబ్ మిల్లులలో సుమారు 14 వందలమంది కార్మికులు పనిచేస్తూ యున్నారు. ఇనుము తెప్పించుటకు కావలసిన వ్యాగములు ప్రభుత్వం సప్లయిచేయని కారణంవల్ల, యజమానులు ప్యాక్టరీలు మూయబోతున్నామని కార్మికులకు వోటిసులిచ్చారు. తరతరాలుగా పనిచేస్తున్నటువంటి కార్మికుల జీవన దృఢి పెరగడము లేకపోగా నిరుద్యోగం ఎదుర్కొంది. ఇదవల్ల యీ రోజులలో అనేక మంది కార్మికులు పనిలేకుండా నిరుద్యోగులవుచున్నారు. ఇదేరకంగా సర్కారు జిల్లాలో I.L.T.D. పొగాకు కంపెనీయన్నది. ఈ కంపెనీకి గుంటూరు, కృష్ణా, తూర్పుగోదావరి, పశ్చిమ గోదావరి జిల్లాలలో అనేక బ్రాంచిలుఉన్నవి. యీ కంపెనీకింద కార్మికుల సంఖ్య యంతవుంటుందో ప్రభుత్వంవారిని గమనించగోరుతాను. ఇక్కడకూడా కార్మికులకు సరియైన వేతనములు యివ్వడమేలేదు. ఎక్కువ వేతనములకు డిమాండుచేస్తే పోలీసులనుతెచ్చి కార్మికులమీద కాల్పులు కాల్చుచున్నారు. వీరే డిమాండుచేస్తే యీ రాష్ట్రములో యీ పొగాకు వ్యాపారమువల్ల కోట్లాది డబ్బు గణించి ఎక్కువపోతున్నారు. ప్రభుత్వమువారు వారికి సహాయము చేస్తే, కార్మికుల జీవనధాని ఏవిధంగా వాగుడుడుకో ఆలోచించగోరుతాను. చిన్న చిన్న కంపెనీలు యీ పెద్ద పెట్టుబడిదారులతో పోటి చేయలేక మానుకోవడంవల్ల, వేలాది కార్మికులకు పని లేకుండా యుంటూ యున్నది.

“ఇక వ్యవసాయ కూలీలకు, భూస్వాములకు సంబంధంగా అదేవిధముగా వుంటున్నది. వ్యవసాయంవల్లనైనా పొట్టుపోసుకుందామనే ఉద్దేశ్యముతో చాలామంది కార్మికులు అనేక ప్రాంతాలకు వెళ్ళవలసిన పరిస్థితులు ఏర్పడుచున్నవి. యీ కార్మికులకు ఎక్కడచూచినా, ఏ విధమైనటువంటి సహాయము జరుగుటలేదు. ప్రస్తుతము

26th July 1952]

[Sri K. Ranga Rao]

అమలులోనన్న లేబరు చట్టాన్ని అమలు పెడుతున్నప్పుడు వీరి జీవనభృతికి సరిపోవు కనీస కూలి ఇచ్చేటట్టు ఒక స్పష్టమైన పాలీసీని నిర్ణయించాలని కోరుతున్నాను. యిప్పుడున్న టువంటి చట్టానికి సరియైన సవరణ చేయించవలెను యీ డిమాండును ప్రవేశపెట్టిన లేబరు మంత్రిగారి ఉపన్యాసంలో రాశికులు కోరినాకమ్మలు, వేతనాలనుగురించిన సూచనలు లేనందున కార్మికులు చాలా నిరుత్సాహపడుతున్నారు. వ్యవసాయ కార్మికులవిషయంలోను పాలేర్నకోసమున్నా ప్రభుత్వంవారు శ్రద్ధలీనుకోవలెనని కోరుచున్నాను.

‘శరణాగత Tribunals విషయంలో ఒక విషయం చెప్పదలచాను. Tribunals కార్మికులకు యజమానులకు మధ్య తగాదాలు వచ్చినప్పుడు, వాటిని Tribunals కు వప్పించుచున్నారు. యీ తగాదాలు settle అయ్యేటప్పటికి చాలాకాలము పడుతున్నది. ఇన్నాళ్లు పట్టినను, చివరికి కార్మికులకే అన్యాయం జరుగుచున్నది యీ Tribunals యీ పెట్టుబడిదారులకే సహాయము చేస్తున్నది కాని కార్మికులకు విమోచనమైన relief చేయలేకుండావున్నది. ఈ Industrial Tribunalస్ ఆనుసరిము ఉన్న విధానముచూస్తే యీ Tribunals యిచ్చేటటువంటి తీర్పులు అన్నీ చాలా ఆ కరుణగా ఉన్నవి. పనితత్వలేబరు కమిషనరు యీ disputes విషయంలో తన discrimination ఉపయోగించు హక్కు కలిగియున్నాడు. దీనివల్ల తనయిష్టం వచ్చిన తగాదాలనే ఇంజనీరియర్ టిబ్యునల్ కు చేయించున్నాడు. ప్రతి కార్మిక సమస్యను నూతన యీ Industrial Tribunals కు పంపవలయుననియు లేబరు కమిషనర్ల discrimination powers (వివక్షతావికారం) రద్దచేసి, ప్రతితగాదాను Tribunal కు పంపివేయడం చాలావరకు కార్మికులకు న్యాయంజరుగుతుంది అనుకుంటాను. యిప్పుడు యీ లేబరు ఆఫీసర్లు యజమానులకు, పెట్టుబడిదారులకు లొంగిపోయి అన్యాయాలు నూతన చేస్తున్నారు. ఈ Industrial Tribunals యిచ్చినటువంటి తీర్పులు Appellate Tribunal బొంబాయికి ఆపీలు చేసుకోవలసియున్నది. యిది కార్మికులు భంగించునది కాదు. అది వీరికి అందుబాటుకాదు. ఈ Appellate Tribunals చేస్తూఉన్న పని ముదిటంటే, Industrial Tribunals యిచ్చినటువంటి తీర్పులలో కార్మికులకు అనుకూలంగావున్న తీర్పులను రద్దచేసి యజమానులకు సహాయంచేయటే, కార్మికులకు ఎవ్వరైనా రివిఫ్ కాదు. ఈ Appellate Tribunals యజమానులకు సహాయ పడుటకు ఏర్పడినవియేకాని, న్యాయమైన తీర్పులు యిచ్చేటందుకు ఏర్పడలేదని స్పష్టమగుచున్నది. ప్రభుత్వ ఉద్యోగులు చూద్దామా, యజమానులకు లొంగిపోయి వారియొక్క ఆక్రమాల రద్దచేయడానికే చేస్తున్నారు. యజమానులు యీ లేబరు డిపార్టుమెంటువారిని కార్మికుల చేయి సమ్మెలను భగ్నముచేయుటకు ఉపయోగించుకుంటున్నారు. Appellate Tribunals చేసేది, కాలయాపన, అన్యాయం తప్పు మరేమీలేదు గనుక, ఇండియా గవర్నమెంటు వారిని యీ Appellate Tribunals రద్దచేయాలని యీ రాష్ట్ర ప్రభుత్వం కోరాలనినా డిమాండు. యింత ఆలస్యము, ఆక్రమ తీర్పులకు బదులు, ప్రభుత్వంవారు అన్ని వివాద విషయాలను ఒకే Tribunal కు పంపించి, వారిరువురైనా ఆపీలుచేయగోట్లకు యిస్తేనే న్యాయం జరుగుతుందని తెలియజేస్తున్నాను. ఇంతవరకు ఈ Appellate Tribunal యిచ్చిన, మద్రాసు రాష్ట్రానికి సంబంధించినటువంటి, తీర్పులన్నియు రద్దచేసి తిరిగి విచారణకు పెట్టటానికి ఆవకాశములు కల్పించవలసినదిగా మనవిచేస్తున్నాను. భీరం I.L.T.D. Company మేనేజిమెంటుకు కార్మికులకు వచ్చిన తగాదాల విషయంలోనూడా లేబరు కమిషనరు జోక్యము వున్నానుటవల్ల ఆక్రమ కార్మికులు చాలాభాధలకు గరికొవలసి వచ్చిందని మనవి చేస్తున్నాను. లేబరు కమిషనరు హామీకి వ్యతిరేకంగా యూనియన్ నాయకులను మేనేజిమెంటు డిస్మిస్

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చేసింది. తర్వాత గుంటూరు జిల్లా చిలకలూరిపేటలో వున్న కార్మికులు అందరు ఒక Union ను ఏర్పరచుకొని వారి కష్టాలను యజమానులకు చెప్పుకోగా ఆ నాయకులందరినీ dismiss చేశారు. ఆ నాయకులు ఆ కంపెనీ కార్మికులు అనేకసార్లు యీ విషయంలో విన్నపములు పంపినను ఆ సమస్య యింతవరకూ పరిష్కారము కాకుండా పోవడము ఆనేది యీ లేబరు డిపార్టుమెంటు అసమర్థతను తెలుపుతు లేదా? ఈ Labour Department ఉద్యోగస్తులను యజమానులు తమ చేతులలో tools గా చేసికొని వారికి ప్రభుత్వముతో కావలసియున్న పనులను నెరవేర్చుకొంటూఉన్నారు. ఈ విషయములో యీ ప్రభుత్వము ఆనుసరిస్తున్న విధానమేటిలో గమనించగోరుచున్నాను. ఇదంతాదూస్తే కార్మికులకు అన్యాయం చేయడముకాక మరేమిటని అడుగుచున్నాను. ఇట్టి పరిస్థితులలో (1) పారిశ్రామిక Tribunals తీర్పు యివ్వడంలో ఆలస్యము చేయకుండా చూడాలన్నది, (2) పారిశ్రామిక తగాదానిన్నూ పారిశ్రామిక tribunal కు పంపడానికి వీలుగా చట్టమును సవరణ చేయాలన్నది, (3) Appellate Tribunals ను రద్దుచేసి, హైకోర్టుకు ఆప్పీలు సౌకర్యాలు కలిగించుటకునూ, (4) ఈ కార్మిక శాఖోద్యోగులను కార్మిక సమస్యలు తెలిసినవారినే నియమించుటకు సూతన చర్యలు వెంటనే తీసుకోవాలని ప్రభుత్వంవారిని అర్థించుచూనూ, (5) Standing orders ను అనుసరించి పెద్ద పెద్ద కంపెనీలు కార్మికులకు ఎట్టి అన్యాయం చేస్తున్నో అనుభవదృష్టితో సవరించాలని, (6) Standing orders క్రింద అక్రమంగా dismiss చేయబడ్డ బీరాల, చిలకలూరిపేట వి. యచ్. టి. డి. కంపెనీ యూనియన్ లకు చెందిన యూనియన్ నాయకులను పదహారు మందిని శని లోకి తీసుకొనునట్లు అప్రసరచర్య తీసికోవలసినదిగాను (7) యిండస్ట్రియల్ ట్రిబ్యునల్ యిచ్చిన తీర్పును తక్షణం అమలు జరుగునట్లు చట్టంలో అప్రసరచర్యలు చేపల సినదిగాను (8) వ్యవసాయకూలీలకు, పాలేర్లకు కనీస కూలీ, జీతం పెర్రయించుచున్నూ, పని గంటలు తలపులు యితర రక్షణలు కలిగించుచూ ఒక చట్టము తేవలసినదిగాను కోరుచున్నాను. ప్రైవూచనలు అమలుజరుపుటకు కావలసిన పద్ధతిలో డిమాండు లేనందున వ్యతిరేకించుచున్నాను.”

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p.m.

* SRI A. BALARAMA REDDI:—“Mr. Deputy Speaker, Sir, I rise to support the Demand. Before doing so, I should like to say a few words about the Labour Officers employed in the Labour Department. They have miserably failed to enforce the various labour laws of our State. There is again a lot of delay in the settlement of disputes. In the initial stages, the disputes are tried to be settled by conciliation. If conciliation does not succeed, then the disputes are referred to Industrial Tribunals under the Industrial Disputes Act. The decisions of these Industrial Tribunals are not final. In many cases the decisions are not implemented by the capitalists. The workers continue to suffer from want of wages and other comforts. Usually it happens that the labourers are dragged to law Courts by the capitalists, whenever the findings of the Tribunals are against their interests. Till the decisions are announced by the Tribunals, the workers are not paid wages in the interim period. So I would request the Government to reconstitute these Industrial Tribunals and make their decisions final. They should not allow the decisions of these Tribunals to be flouted by the capitalists.

“Next to the Labour Officers come the Labour Inspectors. They are not doing their job well. They are not doing their work

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in the spirit in which they are expected to do the same. The Labour Inspectors do not come in contact with the labourers. Either they should be given more powers to help these labourers or they should be removed from office. Otherwise it would be a colossal waste of public funds to continue them in office.

“A word about the enforcement of the Minimum Wages Act. The Labour Officers are expected to see that the capitalists enforce the above Act strictly. But what is it that is really happening? I know specific instances wherein this Act had not been properly applied. In my own constituency of Kalahasti in Chittoor district an open abuse of the Act has been made. No notice seems to have been taken by the Government of the same. The labourers in the beedi factories had been clamouring for higher wages. The Minimum Wages Act was made applicable to these factories also. The labourers were assured of a minimum wage of Re. 1-6-6 for rolling 1,000 beedies. But what did the capitalists do? The owners of the factory opened several branches in the names of their own kith and kin and their managers to defeat the purpose of the Minimum Wages Act, and they were paid lesser wages than those fixed under the Act. The number of workers in the factory was reduced to one-fourth of the previous strength. By converting their original factory into several units, the capitalists have not given effect to the Minimum Wages Act, so far as their workers are concerned. Several petitions and mahazars were written to the Labour Commissioner pointing out this anomaly. But it was a cry in the wilderness. Nothing was done towards the improvement of the labourers. This has not only deprived the labourers of their legitimate wages but also affected the revenues of the Government as the profit earned by the employer is now divided amongst the various branches that are only the agents of the employer.

“I shall come to a recent occurrence in Madras City. The workers of a big firm gathered together and clamoured for increased wages. The secretary of that union wrote a letter to the secretary of the firm. The secretary of the firm met one of the big officials in the Labour Department and enquired whether it was necessary for him to give effect to their representations. The official replied to him that the proprietor need not even acknowledge the representation from the workers, and even went to the extent of advising the secretary of the firm to destroy the petitions received from the workers. That is how labour is treated in Madras.”

THE HON. DR. U. KRISHNA RAO :—“I would like to know from the hon. Member whether this incident has happened in any Government factory. If so, I would like him to give the name of the officer who said that the letter from the labour union need not even be acknowledged.”

* **SRI A. BALARAMA REDDI** :—“This did not happen in any Government factory, Sir. I referred to this incident only to show how Officers of the Labour Department are attending to their

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duties. They never care for the welfare of labour. They have developed an unsympathetic attitude to the labourers. No doubt Government had with good motive passed the Minimum Wages Act and the Industrial Disputes Act. But when their own officers are not implementing the provisions of certain sections of that Act, what is the use of keeping them in office? I would like the Hon. Minister for Industries to weed out some of these Labour Officers from these departments.

“Before closing, I shall refer to the agricultural labourers. These labourers are paid very low wages. They are ruthlessly exploited by the landlords. I request the Government to standardise their wages. With these observations, I support the Demand.

“Thank you, Sir, for having allowed me this opportunity to speak.”

* **SRI P. JEEVANANDAM** :—“கனம் உதவி தலைவர் அவர்களே, காங்கிரஸ் சர்க்கார் 1946-ம் வருஷத்திலிருந்து 1951-ம் வருஷம் வரையில் சாதித்த சாதனைகளைப்பற்றி ஒரு அருமையான புஸ்தகத்தை வெளியிட்டிருக்கிறார்கள். அதில் தொழிலாளர்களைய பகுதி வருகிறது. அதில் சர்க்காருடைய சாதனைகளைப்பற்றி சொல்லி இருக்கிறார்கள். அதில் சர்க்காரின் தொழில் கொள்கை என்ன என்பதைப்பற்றியும் விளக்கம் சொல்லி இருக்கிறார்கள். நடைமுறையில் செயல்படும் விதங்களும் வகுக்கப்பட்டிருக்கின்றன. அதாவது சட்டங்களால் தொழிலாளர்கள் பூர்ணமாகப் பயன்பெற வேண்டும் என்பது ஒன்று. அடுத்தபடியாக அவர்களுடைய நன்மைகளை மேலும் பெருக்க வேண்டும் என்பது இரண்டு. அவசியமான புதிய சட்டங்களைக் கொண்டு வர வேண்டும் என்பது மூன்று. ஆரோக்கிய ரீதியில் தொழிற்சங்க இயக்கம் வளர்வதற்கான உதவி அளிப்பது நான்கு. தொழிலாளர்களைய வாழ்க்கைத் தரத்தை உயர்த்துவது, தொழிலாளர்களுக்கு வேலையில்லா திண்டாட்டம் இல்லாமல் தொழிலாளர்களை பாதுகாக்க வேண்டுமென்பது ஐந்து. அடுத்தபடியாக தொழிலாளர்களுடைய தகராறுகளைத் தீர்க்கத் தகுந்த ஸ்தாபனங்களை அமைப்பது. இவைகளையெல்லாம் சர்க்கார் தங்களையுடைய labour policy-யில் குறிப்பிட்டு பிரசாரம் செய்திருக்கிறார்கள்.

“முதலில் இப்பொழுது நடந்துவரும் விஷயங்களை உங்களுடைய கவனத்திற்குக் கொண்டுவர விரும்புகிறேன். தங்களையுடைய கொள்கைகளை அமுல் நடத்தும் சர்க்கார் அவைகளை சரிவர நடத்துவது இல்லை. 1946-ம் வருஷம் முதற்கொண்டு 1951-ம் வருஷம் வரையில் தொழிலாளர்களுக்கு சர்க்கார் எத்தனையோ சட்டங்களை செய்திருக்கிறார்கள். அவைகள் Industrial Employment Act, Industrial Disputes Act, Factories Act, Shop Assistants Act, Minimum Wages Act என்ற பல சட்டங்களைச் செய்திருக்கிறார்கள். அவற்றை சரியாக அமுல் நடத்திக் கொள்ளுவென்றால் சரியாக அமுல் நடத்தவில்லை. 1946-ம் வருஷம் முதற்கொண்டு 1951-ம் வருஷம் வரையில் 22,600 தொழில் தகராறுகள் ஏற்பட்டு அதில் 22,260 conciliation-க்கு விடப்பட்டிருக்கின்றன. மீதம் 340 தகராறுகள் adjudication செய்யப்பட்டிருக்கின்றன. சர்க்காரின் labour policy என்ன? எதற்காக சட்டம் கொண்டு வரப்பட்டது என்பதை கவனிக்கவேண்டும். தொழிலாளர்களைப் பாதுகாப்பதற்கு என்ன செய்திருக்கிறார்கள். சட்டங்களின் லட்சியங்களை சர்க்காரே நடத்தப்படும் தொழில்களிலேயே அமுல் நடத்தப்படவில்லை. இங்கு சர்க்கார் தங்களையுடைய தொழிற் கொள்கையின் லட்சியத்தையும் தொழில் சமாதானத்தையும் சமூகப் பாதுகாப்பையும் நிலை நிறுத்துவது என்கிறார்கள் என்பதை கவனத்திற்குக் கொண்டுவர விரும்புகிறேன்.

“ஐந்து வருஷ காங்கிரஸ் ஆட்சியின் பின் சென்ற நான்கு மாதங்களாக கனம் ராஜாஜி அவர்களின் மந்திரி சபை வந்திருக்கிறது. அவர்கள் அனுஷ்டித்து வரும் கொள்கையை உங்களுக்கு முன்னால் வைக்க விரும்புகிறேன்.

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முதலில் சர்க்கார் குறிப்பிடும் கொள்கையை சர்க்காரே நடத்துகின்ற தொழில் களில் அவர்களே அனுஷ்டிக்கிறார்களா வெண்பதை கவனிக்கவேண்டும்.

“அதற்காக சர்க்காரால் நடத்தப்படும் மோட்டார் Transport-ஐ எடுத்துக் கொள்வோம். அதில் வேலைசெய்யும் தொழிலாளர்களுக்கு இரண்டு வருஷங்களாக increment கொடுக்கவில்லை. என்னுடைய தொகுதியாகிய வட சென்னையில் சர்க்கார் Transport-ல் வேலை செய்யும் தொழிலாளர்கள் 2,500 பேர்களில் மூன்றில் ஒரு பங்கு தொழிலாளர்கள் வாழ்கின்றார்கள். அவர்கள் சொல்வதைத் தான் நான் இங்கு சொல்லுகிறேன். அவர்கள் தங்களுக்கு இரண்டு வருஷங்களாக increment கிடைக்கவில்லை என்று சொல்லுகின்றார்கள். மற்றும் 18 மாதங்களாக துணியும் கொடுக்கப்படவில்லை என்கின்றார்கள். குறைந்த பட்ச சம்பளம் கூட அவர்களுக்குக் கொடுக்கப்பட வில்லையாம். இந்த குறைந்த பட்ச சம்பளம் conductor, lorry bus driver-கள் யாருக்கும் கொடுக்கப்படவில்லை என்கிறார்கள். அதுமட்டுமல்ல, 8-மணி நேர வேலை செய்யவேண்டுமென்று சர்க்காராலேயே நிர்ணயிக்கப்பட்டிருக்கிறது. அவ்வகையில் 8-மணி வேலையென்று நிர்ணயிக்கப்பட்டிருந்தும் 14-மணி நேரம் வேலைவாங்குகிறார்கள். அவர்களை காலைவில் அழைத்துப் போவதற்கு (lift-க்கு) பஸ் நாலு மணிக்கு வருகிறது. உடனே தொழிலாளர்கள் அந்த பஸ்ஸில் போய்விட வேண்டும். ஆனால் அவர்கள் 5-மணி, 5½-மணி, 6-மணி, 6½-மணி, 7-மணி, 7½-மணிக்கு தான் மெய்யாகவே வேலையில் ஈடுபடுகிறார்கள். அது வரையில் அவர்கள் காா ஷெட்டிலேயே இருக்கவேண்டும். பஸ் ஓடுகின்ற நேரம் தான் கணக்கு. நிற்கின்ற நேரத்தைக் கணக்கில் சேர்ப்பதில்லை. இதை singles என்று சொல்லுகிறார்கள். இதன்படி 20-லிருந்து 40, 45 singles வரை ஓட்டுகிறார்கள். இந்தக் கணக்கின்படி பார்த்தால் அந்தத் தொழிலாளர்கள் பஸ் ஓட்டுவது எட்டு மணி நேரம் வேலைதான். ஆனாலும் மொத்தத்தில் 14-மணி நேரம் வேலை பார்க்கின்றார்கள் என்பது தெரியவரும்.

“அதன் பிறகு Checking Inspector இருக்கிறார். அவர் கட்டாயமாக ஒரு மாதத்திற்கு ஐந்து கேஸ்கள் கண்டுபிடித்து கேஸ் போடவேண்டும். அவ் விதம் உத்தரவு இருக்கிறது என்பதை உங்களுடைய கவனத்திற்குக் கொண்டு வர விரும்புகிறேன். அத்துடன் ஏற்கனவே recruit பண்ணிய conductor களில் நூறுக்கு 75 பேர்களை dismiss செய்யப்பட்டிருக்கிறார்கள். சர்க்காரின் கணக்குப்படி இந்த தொழிலில் வந்திருக்கக்கூடிய லாபம் பத்து லட்சத்திற்கு மேல் பதிவான முறையில் கணக்குப் போட்டால் ரூ. 45 லட்சத்திற்குக் குறையாமல் வரும் என்று நான் சொல்லுகிறேன்.

“அடுத்தபடியாக Corporation-ஐ எடுத்துக்கொண்டால் அங்கே சுமார் பத்தாயிரம் தொழிலாளர்கள் வேலை செய்கின்றார்கள். 40 ரூபாய்க்கு கீழ் சம்பளம் வாங்குகிறவர்களுக்கு சர்க்கார் வீட்டு வாடகைக்கு என்று ஏழு ரூபாய் வீட்டு வாடகை கொடுக்கிறபொழுது இதையே மிகக் கொஞ்சம் என்கிறோம். Corporation-ல் நான்கு ரூபாய் கொடுக்கின்றார்கள். இந்த நான்கு ரூபாயை வைத்துக்கொண்டு ஏழைத் தொழிலாளி என்ன செய்ய முடியும்?

“அதற்கடுத்தபடியாக சர்க்காரால் நிர்ணயிக்கப்பட்ட கொள்கைகள் அமுல் நடத்தப்படும் தொழிற்சாலைகளின் விஷயத்தைக் கவனிப்போம். வட சென்னையிலுள்ள பீடி தொழிலாளர்களை எடுத்துக் கொள்வோம். சட்டத்தை மீறும் பீடித் தொழிலில் முதலாளிகள் மீது தக்க நடவடிக்கை எடுக்கப்படுமா? என்று ஒரு கேள்வி கேட்கப்பட்டபொழுது கனம் மந்திரி ஸ்ரீ U. கிருஷ்ண ராவ் பதில் சொல்லியிருக்கிறார். ‘நான் என்ன சொல்வது, சட்டத்தில் இடம் இல்லை’ என்று. பீடி தொழிலில் பாக்கிரி சட்டம் மீறப்படுவது சகஜமாக இருக்கிறது. பீடித் தொழிலில் சுமார் பத்தாயிரம் பேர்களுக்கு மேல் வேலை செய்கிறார்கள். அவ்வளவு பேர்களுக்கும் ஒழுங்காக வேலை கிடைப்பதில்லை. வாருத்திற்கு இரண்டு நாளைக்குக்கூட வேலை கிடைப்பதில்லை. திடீர் திடீரென்று வேலை நிறுத்தமும் கதவடைப்பும் நடக்கின்றன. பாக்கிரி சட்டத்தை மீறுவதற்காக அநேக பிரஞ்சுகளை திறந்து வைத்து பாக்கிரி சட்டத்திலிருந்து மீறுகிறார்கள். அநேகம் பிரஞ்சுகள் வைத்திருப்பதால் தொழிற்சாலை சட்டத்திலிருந்து தப்பித்துக் கொண்டு வருகிறார்கள். கரீம் பீடித் தொழிற் சாலை, டாஜ்மகால் பீடி தொழிற்சாலை போன்ற பெரிய பீடி தொழிற்சாலை களில் இவ்விதம் நடைபெறுகின்றன.

[Sri P. Jeevanandam]

[26th July 1952]

“அடுத்தாற்போல் Tramways-ஐ எடுத்துக் கொண்டால் இந்த 4, 5 வருஷங்களில் அநேகம் adjudication நடந்திருக்கின்றன. காங்கிரஸ் சர்க்காரின் labour policy தொழிலாளர்களுக்கு அனுசூலமாகவே இல்லை. இரண்டு வருஷமாக adjudication நடந்தது. ஏழை தொழிலாளர்களுக்கு மிகவும் கஷ்டம். கீழ் கோர்ட்டு, மேல் கோர்ட்டு, பம்பாய் ஹைக் கோர்ட்டு, சென்னை ஹைக் கோர்ட்டு இப்படி பல கோர்ட்டுகளுக்குப் போய் வந்தன. இந்த மாதிரி கோர்ட்டுகளுக்குப் போய் வருவதைவிட ஏழும்லையான் தெரிசனத்துக்குப் போய் வருவது சலபம். இவ்வளவு தொல்லைகளிலும் சம்பந்தப்பட்ட 40, 50 தொழிலாளர்களுக்கு எவ்வளவு கஷ்டம். பணச் செலவிற்கு என்ன செய்வார்கள்?

“அதற்கடுத்தாற்போல் இந்த நகரத்திலுள்ள ஹோட்டல் தொழிலாளர்கள் பற்றி ஒரு வாரத்தை, அம்பீல் கட்டீயின் தகராறு நான்கு மாதங்களாக நடந்து வருகின்றன. Conciliation கணக்கில் சேர்ப்பதாகவே இல்லை. அது பற்றி சர்க்காரும் எவ்வித effective action-ம் எடுத்துக் கொள்ளவில்லை. மீண்டும் conciliation-க்கு முயற்சி செய்யப்போகிறார்களாம். சமீப காலமாக ஹோட்டல் தொழிலாளர்களுடைய நிலைமை ரொம்பவும் பரிதாபகரமாக இருக்கிறது. தொழிலாளர்கள் முதலாளிகளை சிறிது வசதி கேட்டுவிட்டால் போதும் உடனே போலீசைக் கூப்பிடுகிறார்கள். அவ்விதம் கூப்பிட்டு சமீபத்தில் 30, 32 ஹோட்டல் தொழிலாளர்கள் ஜெயிலுக்குப் போயிருக்கிறார்கள். கேரளா பவன், லட்சுமி பவன், லலிதா லட்சு ஹோம் முதலிய ஹோட்டல்களில் தகராறுகள் நடந்து வருகின்றன.

“அடுத்தபடியாக tannery works இந்த மாகாணத்திலேயே அது ஒரு சிறந்த தொழில். ஹரிஜனங்களுக்கு பிரமாதமாக பாடுபடுகிறோம் என்று சர்க்கார் சொல்லுகிறார்களே அந்த ஹரிஜனங்களுடைய முக்கியமான தொழில் இந்த tannery தொழில். இந்தத் தொழிலில் ஆயிரக்கணக்கான தொழிலாளர்கள் வேலை செய்கிறார்கள். அவர்களுக்குக் குறைந்த பட்ச சம்பளம் கூட கொடுக்கப்படவே இல்லை. அவர்களுக்கு எட்டண கூலி கொடுக்கிறார்கள். ஒரு பிச்சைக்காரனுக்குக் கொடுக்கும் காசு கூட இல்லை. ஆயிரக்கணக்கானபேர் வேலையிழந்து தெருவில் நிற்கிறார்கள். இதில் கொஞ்சம் கவனம் செலுத்தவேண்டும் என்று சொல்லிக் கொள்ள விரும்புகிறேன்.

“அடுத்தபடியாக ஹார்பர் தொழிலாளிகள். அங்கே பத்தாயிரம் தொழிலாளர்களுக்கு மேல் இருக்கிறார்கள். பெரும்பாலோர் temporary தொழிலாளர்களாக இருக்கின்றார்கள். தினக்கூலி முறை அமல் நடக்கிறது. டைக் ஓடிந்து, கால் ஓடிந்து போனவர்களுக்கு நஷ்டயீடு இல்லை. கடலில் விழுந்து நான்கு நாட்கள் கழித்து பிரேதத்தைக் கரையில் கண்ட பிறகுதான் கவனிக்கப்படுகிறது. இவ்வளவு பரிதாபம் ஹார்பர் தொழிலாளர்களின் நிலைமை.

“அதைப்போலவே வட சென்னையிலுள்ள Aluminium Factory, Premier Metal Factory. இங்கே அவ்வளவு குறைக்கப்பட்டிருக்கிறது. கூலி உயர்வு, போனஸ் இல்லை. அங்கே தொழிலாளர்களை பழிவாங்குகிறார்கள். ஆட்களை குறைக்கப்படுகிறது. ஜீவன்வால் பாக்கிரி இருக்கிறது. இங்குவேலைபளு அதிகரிக்கப் படுகிறது. வேலை செய்வதற்குத் தக்க கூலி கொடுப்பது இல்லை. 180 தொழிலாளிகளுக்கு வேலையில்லை யென்றும் விரட்டப்படுகிறார்கள்.

“அப்பால் சுருட்டுத் தொழில். இதுவும் பீடித் தொழிலைப் போலத்தான். திடீர் திடீரென்று வேலை நிறுத்தம் செய்யப்படுகிறது. போனஸ் கிடையாது. கதவடைப்பு வேறு நடக்கிறது. இவ்விதம் இருக்கிறது நமது சர்க்காரின் labour policy. நடைமுறையில் பார்க்கும்போது அனுசூலம் ஒன்றும் கிடைத்து வருவதாக இல்லை. சென்னை Glass Factory—அங்கும் அதே மாதிரிதான் தொழிலாளர்களுடைய கஷ்டம் சொல்லமுடியாது. அடுத்தாற்போல் Thompson Press. அங்கு இரண்டு வருஷமாக தொழிலாளர்களை பழிவாங்கப்படுகிறது. Labour Department அதிகாரிகளிடமும் தொழில் மந்திரியிடமும் நடந்து நடந்து காலும் தேய்ந்து விட்டது, சொல்லிச்சொல்லி வாயும் சலித்துவிட்டது. 10, 13 கேஸ்களில் திருப்பத் திருப்ப கோர்ட்டுக்குக் கொண்டு போயும் adjudication கிடைத்த பாடிஸ்டை என்று சொல்லும்

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நிலமையிலிருக்கிறது. அடுத்தாற்போல் M.E.S.C. தொழிலாளர்கள் அதில் ஒன்றிரண்டு வருஷங்களுக்கு மேல் வேலை பார்த்தும் இன்னும் temporary-யாகத்தானிருக்கின்றார்கள்.

“கடைசியாக சென்னையிலுள்ள மீன் பிடிக்கும் தொழிலாளர்கள். இது மிகவும் செழிப்பான தொழில். மிகவும் சிறந்த தொழில். மீன் பிடிப்பவர்களுக்கு வசதி செய்யப்படவே இல்லை. உணவு பற்றாக்குறையை பூர்த்தி செய்யக்கூடிய தொழில். இது ஒரு குடிசைத் தொழில். இராயபுரத்திலுள்ள குடிசைகளை கடல் அறுத்துக்கொண்டு போகிறது. தண்டையார் பேட்டையிலிருப்பவர்களில் பலர் வீடிழந்திருக்கிறார்கள். அவர்களுக்கு அந்த வசதியும், மீன்பிடிப்பதற்கு நூல் வாங்கிக் கொடுத்தும், கட்டு மரம் வாங்கிக் கொடுத்தும் வசதி செய்து கொடுக்கவேண்டும். இது வரையிலும் ஒன்றும் செய்வதாகவே இல்லை. ஒன்றும் கவனிப்பதாகவே இல்லை.”

* SRI M. S. MUNISAMI PILLAY :—“கனம் உதவி சபாநாயகர் அவர் களை! கனம் தொழில் மந்திரி அவர்கள் கொண்டு வந்திருக்கின்ற மான் யத்தை நான் ஆதரிக்கின்றேன். அதோடு தொழிலாளர்கள் சம்பந்தப் பட்ட சில விஷயங்களையும் சர்க்காருடைய கவனத்திற்குக் கொண்டு வருகிறேன். 1-10 p.m.

“இன்றைய தினம் நம்முடைய சர்க்கார் தொழிலாளர்கள் விஷயத்தில் அக்கறை செலுத்தி மிகக் குறைந்த காலத்தில் பல நல்ல சட்டங்களைக் கொண்டு வந்திருக்கிறார்கள். குறிப்பாக ஷாப் சட்டம் இன்றைக்கு அமுல் நடத்தப்படுகிறது. இது காங்கிரஸ் சர்க்கார் செய்திருக்கும் ஒரு நல்ல சட்டமாகும். இந்தச் சட்டம் இன்றைக்கு அமுல் நடத்தப்படுகிற விஷயத்தில் சில தவறுகள் இருக்கின்றன. இதை அமுல் நடத்தக்கூடிய விஷயத்தில் தொழிலாளருக்கோ, அல்லது கடை முதலாளிகளுக்கோ ஒரு விதமான பிரயோஜனமுமில்லை. ஆகவே இரு சாராரும் அனுபவிக்கக் கூடிய முறையில் ஒரு கமிட்டியை அமைத்து இந்தச் சட்டத்தைத் திருத்தி, நல்ல முறையில் இதை அமுல் நடத்தவேண்டுமென்பதாக நான் கேட்டுக் கொள்கிறேன்.

“அடுத்தபடியாக இன்றைக்கு மோட்டார் தொழிலாளருக்கு குறைந்த பக்க சம்பளம் இருக்கிறது. ஆனால் பல மோட்டார் கம்பெனிகளில் இதை அமுல் நடத்துவதில்லை. இதை அமுல் நடத்துவதற்கு மோட்டார்களுக்குப் பர்மிட் வழங்கும்பொழுதே குறைந்த பட்ச சம்பள விதித்ததை அவர்கள் அமுல் நடத்தவேண்டுமென்று வற்புறுத்தி அப்படிச் செய்வதாயிருந்தால் தான் பர்மிட் வழங்கப்படுமென்றால் அவர்கள் நிச்சயம் அதை ஒழுங்காக நிறைவேற்றிவைப்பார்கள் என்று நான் அபிப்பிராயப்படுகிறேன்.

“அடுத்தபடியாக சுருட்டுத் தொழிலாளர்கள், பீடித் தொழிலாளர்கள் இன்று பட்டக்கூடிய கஷ்டங்களில் பற்றி பலர் சொன்னார்கள். இந்தக் குறைகள் இருப்பதற்கு ஓரளவு அரசியல் கிளர்ச்சிகள்தான் காரணமென்று நான் அபிப்பிராயப்படுகிறேன். தொழிலாளருக்கு இருக்கக் கூடிய ஒரு சில குறைகளை வைத்துக்கொண்டு இவர்களை பெரிய வேலை நிறுத்தங்களுக்குக் கொண்டுபோய் விடுகிறது அதனால் ஏற்படக்கூடிய கஷ்டங்களால் தான் என்று பெரும்பாலான தொழிலாளர்கள் சிக்கலில் மாட்டிக்கொண்டுவருதிப் படுகிறார்கள். குறிப்பாகச் சொல்லுகிறேன். இன்று சுருட்டு, பீடி, புகையிலை தொழிற்சாலைகளில் அவர்கள் ஆயிரம் சுருட்டு சுற்றினால் இவ்வளவு கூலி என்று நிர்ணயிக்கப்பட்டிருக்கிறதே தவிர இவ்வளவு மணி நேரம் வேலை செய்தால் இவ்வளவு கூலி என்று நிர்ணயிக்கப்படவில்லை. இந்த இடங்களில் பாக்கரி சட்டத்தை அமுலுக்குக் கொண்டு வந்ததினால் தான் தொழிலாளர்களும் அதிக நேரம் வேலை செய்துஅதிக ஆயிரம் சுருட்டுகளைச் சுற்ற முடியவில்லை என்று கஷ்டப்படுகிறார்கள். அதே போல முதலாளிகளும் கஷ்டப்படுகிறார்கள். என்னுடைய ஊர் சம்பந்தப்பட்டவரை பல பகுதிகளில் தொழிலாளர்கள் இந்த பாக்கரி ஆக்டினால் கஷ்டப்படுகிறார்கள். இது இல்லாவிட்டால் வேலைக்குத் தகுந்த கூலியை அவர்கள் வாங்கிக் கொள்வதற்கு இடமுண்டு. அதே நேரத்தில் அதிக உற்பத்தியைச் செய்

[Sri M. S. Munisami Pillay] [26th July 1952]

வதற்கும் முதலாளிகளுக்குச் சந்தர்ப்பம் உண்டு. ஆகையால் இந்த சட்டத்தை திருத்தி அமைக்கவேண்டுமென்றே நான் கேட்டுக்கொள்ளுகிறேன்.

“அடுத்தபடியாக தோல் பதனிடும் தொழில். இந்தத் தொழிலுக்கும் சர்க்கார் குறைந்த பட்ச கூலியை நிர்ணயம் செய்து அவர்கள் வாழ்க்கைத் தரத்திற்கு வேண்டிய எல்லா வசதிகளையும் செய்து கொடுக்கவேண்டுமென்று நான் கேட்டுக்கொள்ளுகிறேன்.

“அடுத்தபடியாக தொழில் கோர்ட்டில் கொடுக்கப்படும் அவார்களை சில முதலாளிகள் சரிவர அமுல் நடத்துவதில்லை. தொழில் கோர்ட்டுகளில் கொடுக்கப்படும் தீர்ப்பு தங்களுக்குச் சாதகமாக இருந்தால் தான் முதலாளிகள் அதை எடுத்துக் கொள்ளுகிறார்கள். ஆகையால் எந்த முடிவாக இருந்தாலும் தொழில் கோர்ட்டில் கொடுக்கப்படும் முடிவுகளை அமுல் நடத்தும்படி பார்த்துக் கொள்ளவேண்டும். அந்த அவார்களை முதலாளிகள் தொழிலாளருக்குக் கொடுத்தே தீரவேண்டும். தொழில் கோர்ட்டினால் இன்று தொழிலாளர்களுக்கு இருக்கக் கூடிய நன்மைகளை சர்க்கார் பாதுகாக்கவேண்டுமென்பதாக நான் கேட்டுக்கொள்ளுகிறேன். இப்படிச் செய்வதினால் தொழிலாளர்கள் எப்பொழுதும் அதிகப்பதியின்றி வேலை செய்யக் கூடியவர்களாகவே வைத்திருக்கலாம் என்று நான் அபிப்பிராயப்படுகிறேன்.

“நீர்க் இன்றைக்கு தொழிற்சாலைகளில் திடீர் திடீர் என்று வேலை நிறுத்தம் ஏற்படுகிறது. காரணகாரணமில்லாமல் தொழிலாளர்கள் வேலை நிறுத்தம் செய்வதற்கு அடிப்படை காரணமென்ன என்று நாம் பார்க்க வேண்டும். இம்மாதிரி ஏற்படாமல் இருப்பதற்காக ஸ்ரீமான் குப்புசாமி அவர்கள் சொன்ன யோசனையை நானும் ஒத்துக் கொள்ளுகிறேன். அதாவது ஒரு தொழிற்சாலை இருந்தால் அதன் லாப நஷ்ட புள்ளி விவரங்களை அடிக்கடி பேப்பரிலே பிரசுரித்து விட்டால் பொது மக்களும் அங்கேயே வேலை செய்கின்ற தொழிலாளர்களும் தொழிற்சாலைக்கு எவ்வளவு லாபம் கிடைத்தது? அல்லது எவ்வளவு நஷ்டம் ஏற்பட்டது. முதலாளிகள் தங்களுக்குக் கொடுக்கும் சம்பளம் சரிதானா? இல்லை நம்மை ஏமாற்றிவிட்டு அவன் கொள்ளை லாபம் கொண்டு போகிறான்”, என்ற விஷயங்களைப் புரிந்துகொண்டு விடுவார்கள். ஒருவரை ஒருவர் நன்றாகப் புரிந்துகொண்டு விட்டால் பின்னால் திடீரென்று எந்தத் தகராறும் ஏற்படுவதற்கு வசதியிருக்காது. முதலாளியே அதிகமாக தனக்கு லாபம் வந்திருக்கிறதென்று போனால் கொடுக்காவிட்டால் என்ன ஏற்படுமோ என்று பயப்படுவான்.

“ஆகையால் நான் சொன்ன விஷயங்களிலெல்லாம் சர்க்கார் கவனம் செலுத்த வேண்டுமென்பதாகக் கேட்டுக்கொண்டு என் பேச்சை முடித்துக் கொள்ளுகிறேன்.”

*SRI M. PALANIANDI —“கனம் உதவி சபாநாயகர் அவர்களே, கனம் தொழில் மந்திரி அவர்கள் கொண்டு வந்த தொழில் மானியக் கோரிக்கையை எதிர்த்து, வெட்டுப் பிரேரணையை ஆதரித்துப் பேச விரும்புகின்றேன்.

“எனக்கு முன் பேசிய அங்கத்தினர்கள், ‘உண்மையாக தொழிற் சட்டங்கள் சரியாக நிறைவேற்றப்படவில்லை, அவைகளெல்லாம் எட்டளவில் தான் இருக்கின்றன’ வென்று சொன்னார்கள். உண்மையாக, ‘Minimum Wages Act’ இயற்றினார்கள். நடைமுறையில் அது கொண்டுவிடப்படாதா என்றால் கிடைப்பாது. ஏதோ சில இடங்களில் கொண்டுவிடப்பட்டிருக்கலாம். இப்பொழுது கொடுக்கப்படும் சம்பளத்திலும் கூட குறைவாக இருக்கிறதே தவிர, உண்மையாக ஒரு தொழிலாளி வாழக்கூடிய நிலையில் சம்பளம் நிர்ணயிக்கப்படவில்லை. சாதாரண தொழிலாளிகளுக்கு குறைந்த சம்பளம் நிர்ணயிக்கப்படவில்லை. சென்னை நகரத்திலுள்ள கார்ப்பரேஷன் தொழிலாளிகளுக்கென ஒரு சிறு கமிட்டி அமைத்தார்கள். திரு. வெங்கட் ராமனும், இன்னும் சிலரும் அந்தக் கமிட்டியில் இருக்கிறார்கள். எல்லோரும் ஏகமனதாக ஒரே தீர்ப்பளித்தும் கூட, அந்தத் தீர்ப்பை உடனடி

26th July 1952]

[Sri M. Palaniandi]

யாக நடை முறைக்குக் கொண்டுவருவதற்கு இந்த அரசாங்கம் முன் வரவில்லை. ஆகையால், என்ன கமிட்டி அமைத்தாலும் சரி, யார் யார் அதில் அங்கத்தினர்களாக இருந்தாலும் சரி, அந்தத் தீர்ப்பை சரிவர அமுலுக்குக் கொண்டுவராததன் காரணத்தினால் தான் இன்று தொழிலாளிகளிடையே அமைதியில்லாமல் இருக்கிறது.

“இந்திய தேசிய தொழிற் சங்க காங்கிரசில் தமிழ் நாட்டு அங்கத்தினர் நான். ஷோஷலிஸ்ட் கட்சி நண்பர்கள் சொல்லலாம், பிற்போக்கு ஸ்தாபனம் என்று. கம்யூனிஸ்டுகள் பிற்போக்கு ஸ்தாபனம் என்று சொல்லலாம். உண்மையாக, எந்தெந்த தொழிற்சங்கங்களில் யார் யார் வேலை செய் தாலும் கூட, அவர்கள் உண்மையாக கோரிக்கைகளைக் கேட்டாலுங் கூட, எப்படியாவது அதை புறக்கணித்துவிட்டு, நசுக்கிவிட வேண்டுமென்ற எண்ணம் அரசாங்கத்திற்கு இருக்கிறதே தவிர, உண்மையாக அந்தக் கோரிக்கைகளைப் பரிசீலனை செய்து, காரியங்களையாற்ற முன் வருவதில்லை அரசாங்கம்.

“இன்ஷூரன்ஸ் சட்டம் கொண்டுவரவேண்டுமென்று சொன்னார்கள். ஒன்னை மாகாணத்தில் உடனடியாகக் கொண்டுவரமுடியும். போதிய டாக்டர்கள் இருக்கிறார்கள். சட்ட பூர்வமாக இருக்கக்கூடிய தொழிற் சங்கங்கள் இருக்கின்றன. உடனடியாக இன்ஷூரன்ஸ் சட்டம் கொண்டுவர வேண்டுமென்று கேட்டுக்கொள்ளுகின்றேன்.

“Conciliation Proceedings-ஐ எடுத்துக்கொண்டால், உதாரணமாக பல நாள் ஆகின்றது. கான்விலியேஷன் ஆபீசர் தன்னுடைய சிபார்சை இங்கு கமிஷனருக்கு அனுப்புகின்றார். கான்விலியேஷன் ஆபீசர் பூர்வாங்கமாகப் பரிசீலனை செய்து சொல்லியும், கமிஷனர் அதைத் தள்ளி விடுகிறார். அல்லது தொழில் கோர்ட்டுகள் வேண்டுமென்றும், மேலுள்ள அதிகாரிகள் உடனடியாகக் கொடுப்பதில்லை. வீண் சாக்குப்போக்கு சொல்லு கிறார்கள். முதலில் யார் வருகிறார்களோ அவர்களுக்கு நியாயம் கொடுக் கிறார்கள். அது டால்மியா கிரவாகத்திற்கு மிகவும் பொருந்தும். முதலில் மானேஜ்மெண்டார் வந்துவிட்டால் அவர்கள் பக்கம் சாதகமாக நியாயம் இருக்கிறது. தொழிலாளிகள் பிறகு வந்தால் அவர்களுக்கு நியாயம் கிடைப்பதில்லை.

“1949-ம் ஆண்டில் டால்மியா தொழிலாளிகள் ஒரு சிறு தொழிற் கோர்ட்டு வேண்டுமென்று கேட்டார்கள். முதலில் கமிஷனர்கள் ஒரு தீர்ப்பு கொடுத்தார்கள். அவற்றில் சில நல்ல தீர்ப்பு என்று வைத்துக்கொண் டாலும், அதற்கு மேற்கொண்டு எங்களுக்குப் போனால் வேண்டும், இன்னும் கொஞ்சம் கஷ்டங்கள் இருக்கின்றன, அதனால் தொழில் கோர்ட்டு வேண்டுமென்று பல தடவைகள் நாங்கள் கேட்டோம். ஆனால், கொடுக்க வில்லை. அதன் மேல் வேலை நிறுத்தம் ஏற்பட்டது. அதை illegal strike என்று சொல்லி எங்களுக்குத் தந்தி வந்தது. உடனடியாக Employment Exchange விருந்து தொழிலாளிகள் வருகிறார்கள். எம்பிளாய்மெண்ட் எக்ஸ்சேஞ்சு ஆபீஸ்கள் எப்படி வேலை செய்கிறது என்பது எல்லோருக்கும் தெரிந்த விஷயம். மானேஜ்மெண்டார் புதிதாக தொழிலாளிகளை வேலைக்கு எடுத்துக்கொள்ளும்போது, எம்பிளாய்மெண்ட் எக்ஸ்சேஞ்சுக்கு வேலைக்காரர்கள் வேண்டுமென்று தகவல் கொடுக்கிறார்களா? எம்பிளாய் மெண்ட் எக்ஸ்சேஞ்சு சிபார்சு செய்யும் ஆகளை மானேஜ்மெண்டார் வேலைக்கு வைத்துக்கொள்ள வேண்டுமென்று அவர்களைக் கேட்டுக் கொண்டும், மானேஜ்மெண்டார் சரியாக நடந்துகொள்வதில்லை. மானேஜ்மெண்டாரின் போக்கு சாதாரண காலங்களில் எம்மாதிரி இருக்கிறது என்று ஆபீசர்களுக்குத் தெரியும். தெரிந்திருந்தும், தொழி லாளர்கள் நியாயமான கோக்கைகளுக்காக வேலை நிறுத்தம் செய்தால், அதை மானேஜ்மெண்டார் illegal strike என்று சொல்லும்போது இந்த எம்பிளாய்மெண்ட் எக்ஸ்சேஞ்சு ஆபீசர்கள் இருக்கிறார்களே, அவர்கள், தங்களிடம் பதிவு செய்துகொண்ட தொழிலாளர்களை வேண்டிய அளவு அனுப்பிவைக்கின்றார்கள். மற்றும் டால்மியா தொழிலாளிகள் நியாய மான கோரிக்கைகளுக்காக வேலை நிறுத்தம் செய்யும்போது, கமிஷனர் சட்ட விரோதமான வேலை நிறுத்தம் என்று முதலில் தந்தி அடித்து

[Sri M. Palaniandi]

[26th July 1952]

பின்னர் வேண்டப்படாத வேலை நிறுத்தம் என்று சொல்லுகிறபொழுது வேறு தொழிலாளர்கள் அங்கு வேலைக்குப்போகும்போது, அவர்களைப் பார்த்து, “என்ன ஐயா, நாங்கள் நியாயமான வேலை நிறுத்தம் செய்யும் போது, நீங்கள் எங்களுக்கு எதிராக வேலைக்குப் போகலாமா?” என்று கேட்டு, அவர்களை வேலைக்குப் போகாமல் தடுத்தவிட்டால், போலீஸ்காரர்கள் துப்பாக்கிப் பிரயோகம் செய்கிறார்கள். அதனால், எவ்வளவோ உயிர்கள் சேதம் அடைய சந்தர்ப்பம் கொடுக்கப்படுகிறது. இதை அறிவாரா கமிஷனர்! அஹிம்சைக் கொள்கையையுடைய காங்கிரஸ் என்று சொல்லிக் கொள்பவர்கள் போலீஸ்காரர்களை விட்டு இம்மாதிரி டால்மியா தொழிலாளர்களை இம்சை செய்திருக்கிறார்கள். தொழில் கோர்ட்டு, கிடைத்து, எங்களுக்கு ஏதோ கிடைத்தது. தொழில் கோர்ட்டு கிடைத்தாலும், அப்பெல்லட் ட்ரிபுனலுக்கு நாங்கள் போனாலும், டால்மியா முதலாளிகள் சுப்ரீம் கோர்ட்டு வரையில் போக கங்கனும் கட்டுகிறார்கள். 1949-ல் கொடுத்த தீர்ப்பு இன்னும் நிறைவேற்றப்படாமல் திண்டாடிக்கொண்டிருக்கிறோம்.

“நான் சொல்லுவது என்னவென்றால், கான்சிலியேஷன் ஆபீசர்களானாலும் சரி, தொழில் கோர்ட்டு அதிகாரிகளானாலும் சரி, அவர்கள் திறந்த மனதோடு விசாரித்து, தொழிலாளர்களுக்கு நல்லது செய்யவேண்டுமென்ற எண்ணத்தில் உண்மையாக அளித்த தீர்ப்பை முதலாளிகள் நிறைவேற்ற வேண்டுமென்று கட்டாயப்படுத்தினாலொழிய முதலாளிகள்—தொழிலாளர்களிடையே சமுகமான உறவு ஏற்படமுடியாது. அரசாங்கம் முதலாளிகளைக் கட்டாயப்படுத்துவதைத் தவிர வேறு வழியில்லை. ஏனென்றால், டால்மியாபோன்றவர்கள் வடநாட்டிலிருந்து வந்து இங்குமுதல் போட்டு தொழில் நடத்துகிறார்கள். ஆகையால், இங்கிருக்கும் தொழிலாளர்களை அவர்கள் சரிவர நடத்தவேண்டும். அவர்களுடைய நியாயமான கோரிக்கைகளை கவனிக்கவேண்டும். ஆனால், அவர்கள் தொழிலாளர்களின் நன்மையைப் புறக்கணிப்பதற்கு காரணம் அவர்கள் தமிழ் நாட்டிலுள்ள காங்கிரஸ்காரர்களுக்கு சிமெண்டு ஏஜென்ஸி கொடுத்திருக்கிறோம் என்ற தைரியத்தினால்தான். காங்கிரஸ்காரர்களுக்கு சிமெண்டு ஏஜென்ஸி முதலியவைகள் கொடுத்திருப்பதினால் அரசாங்கம் தங்களை ஒன்றும் செய்ய முடியாது என்று அவர்கள் நினைத்துக்கொண்டிருக்கிறார்கள். அவர்களுடைய மிரட்டல்களுக்கு நாங்கள் பணிவதில்லை. இருந்தாலும் தொழிலாளர்கள் தங்கள் கோரிக்கைக்காக பொறுமையுடன் போராடிய பிறகுதான் கருணையற்ற முதலாளிகள் பணிந்து வருகிறார்கள்.

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p.m. “அப்பெல்லட் ட்ரிபுனல் (தொழில் கோர்ட்டு) எப்படி நடக்கின்றன என்று பார்த்தால், மதுரையில் (Madurai dress manufacturing company) விஷயமாக அப்பெல்லட் ட்ரிபுனல் ஒரு தீர்ப்பு தந்திருக்கிறது. அப்பெல்லட் ட்ரிபுனலுக்குப்போய்கூட “இன்ஜ்ஷன்” மறுக்கப்பட்டது. இதுவரையில் முதலாளிகள் தீர்ப்பை நடைமுறையில் நிறைவேற்றவில்லை. ஆனால், முதலாளிகள் சிறைக்குப்ப்படவில்லை. அதே சமயத்தில் திருநெல்வேலியில் ஒரு தொழிற்சாலையில் தொழிலாளிகள் வேலை நிறுத்தம் செய்ததில் அதை (illegal strike) என்று சொல்லி ஒரு தொழிலாளிக்கு மூன்று மாத சிறை தண்டனையும் ரூ. 100 அபராதமும் விதிக்கப்பட்டது.

“கோயமுத்தூரிலுள்ள 30 மில்களில் வேலை செய்யும் தொழிலாளிகள் சம்பந்தப்பட்ட விஷயமாகத் தீர்ப்பு அளிக்கப்பட்டிருக்கிறது. அந்தத் தீர்ப்பின் பேரில் முதலாளிகள் மேல் கோர்ட்டில் ஒரு இன்ஜ்ஷன் கேட்டார்கள். அது மறுக்கப்பட்டது. இரண்டு மாத போனவிற்கு மட்டும் இன்ஜ்ஷன் கொடுக்கப்பட்டது. அவர்களுக்கு வேண்டிய சம்பளம், பஞ்சப்படி, கிராசவடி வேலையிலிருந்து நீக்கப்பட்ட தொழிலாளிக்கு காம்பென்ஸேஷன் இவைகளைல்லாம் கேட்போது அதற்கு இன்ஜ்ஷன் கொடுக்கவில்லை. 30 ஆயிரம் மில் தொழிலாளிகள் தீர்ப்பின்படி தங்களுடைய கோரிக்கைகளை நிறைவேற்ற வேண்டுமென்று கேட்டால், “நீங்கள் தனித்தனியாக தொழில் கோர்ட்டுக்கு உங்களுடைய அப்ளிகேஷனைக் கொடுத்து, தீர்ப்பு வாங்கிக்கொள்ளுங்கள்” என்று முதலாளிகள் சொல்லுகிறார்கள். இந்த 30 ஆயிரம் மில் தொழிலாளிகள் அப்பீல் செய்து கொள்வதற்குப் பணம் எங்கிருக்கின்றது?

26th July 1952]

[Sri M. Palaniandi]

மேலும் திருநெல்வேலி ஜில்லாவில் மாஞ்சேலை எஸ்டேட் என்று ஒரு எஸ்டேட் இருக்கிறது. அங்கிருக்கும் வெள்ளையனால் ஒரு தொழிலாளி வேலை மிலிருந்து நீக்கப்பட்டான். அரசியல் சட்டத்தில் வழங்கப்பட்டிருக்கும் ஜீவாதார உரிமை அவனுக்குத் தடுக்கப்படுகிறது. அந்தத் தொழிலாளி வீட்டுக்கு வந்து மனைவியுடன் இருக்கக்கூடாது என்று அவனுக்கு உத்திரவு பிறப்பிக்கப்பட்டிருக்கிறது. கணவனை அந்த மனைவி வீட்டுக்குவர அனுமதித்தால், அவனையும் வேலையிலிருந்து நீக்கிவிடுவோம் என்று அந்த வெள்ளையன் அவளுக்கு உத்திரவு அனுப்பியிருக்கிறான். இம்மாதிரி அவர்கள் பிரிக்கப்பட்டிருக்கிறார்கள். இததான் நம்முடைய அரசாங்கத்தில் அரசியல் சட்டத்தில் நமக்கு கொடுக்கப்பட்டிருக்கும் ஜீவாதார உரிமை.

“ஆண்டுதோறும் மின்சார வெட்டினால் அனேக தொழிலாளர்களுக்கு வேலையில்லாமலிருக்கிறது. மின்சார வெட்டினால் வேலை கிடைக்காத தொழிலாளர்களுக்கு யாதொரு விதமான காம்பென்சேஷனும் மாணேஜ்மெண்டார் கொடுப்பதில்லை. மின்சார வெட்டினால், அவர்களுக்கு வேலை அளிக்க முடியவில்லையென்று மாணேஜ்மெண்டார் சொல்லமுடியாமல் அரசாங்கம் வேறு வழியிலும் இதற்கு உதவி செய்யலாம். அதாவது தெர்மல் ஸ்டேஷனைக் கட்டிக்கொடுத்து மின்சார வெட்டில்லாமல் தொழிலாளர்களுக்கு வேலை கிடைக்கும்படி அரசாங்கம் செய்து கொடுக்கவேண்டுமென்று கேட்டுக்கொள்ளுகின்றேன்.

“கடைசியாக உண்மையாக தொழிலாளர்களிடையே சமாதானம் நிலவ வேண்டுமென்றால், ஆங்காங்கே ஒவ்வொரு தொழிற்சாலைக்கும் ஒரு (Tripartite committee) அமைக்கவேண்டும். முன்பு அரசாங்கத்தின் ஒரு தீர்மானப்படி அவர்கள் ட்ராண்டிப்போர்ட், பிளாண்டேஷன் சிமென்ட், இவை யெல்லாவற்றிற்கும் கமிட்டி போடுவதாக இருந்தது. டெக்ஸ்டைல் இன்டஸ்ட்ரிக்கு அமைக்கப்பட்டிருக்கிறது. ஆனால், அதற்கு அதிகாரம் கிடையாது. நல்ல அதிகாரத்துடன் தொழிலாளிகளும், முதலாளிகளும், அரசாங்கத்தாரும் உட்கார்ந்துகொண்டு உண்மையாகத் திட்டங்களை வகுத்து அதை அமுலுக்குக் கொண்டுவந்தாலும் அன்றாடம் ஏற்படும் தகராறுகளைப் பரிசீலனை செய்தும் உற்பத்தி பெருக்கத்திற்கு திட்டமிட்டுக்கொண்டும் தொழிலாளிகள் வாழ்க்கைத் தரத்தை உயர்த்தியும் செல்வனே காரியங்களை நடத்திவந்தால், தொழிலில் சமாதானம் ஏற்படும். முதலாளிகளும் அதற்குக் கட்டுப்பாடுவேண்டும். பொதுவாக எடுத்துக்கொண்டால் டால்மியா நிர்வாகத்திற்கு 29 லட்சம் லாபம் வந்தால் 33 லட்ச ரூபாய் தேய்மானத்திற்கென்று ஒதுக்கியிருக்கிறார்கள். தொழிலாளிகள் கேட்பது இரண்டு மாதச் சம்பளம், 33 லட்சம் ரூபாய் டிப்ரிசியேஷன் என்று ஒதுக்கிவிட்டு நியாயமாக இரண்டு மாதச் சம்பளத்தைப் போனசாகக் கேட்டால் அது மறுக்கப்படுகிறது. இம்மாதிரி தேய்மானம் போன்றவைகளை ஒதுக்க இன்சம் டாக்ஸ் சட்டம் அனுமதிக்கிறது. மனிதத் தன்மையாகப் பார்த்து உண்மையாக வேலை செய்கிறவர்களுக்கு ஏதாவது கொடுப்பதென்றால், அவர்களுக்கு மனது இடங்கொடுக்கவில்லை. 1948-49-ல் உண்மையாக நாட்டில் உற்பத்திப் பெருகவேண்டுமென்று சென்னை மாகாணத்தில் பேசப்பட்டபொழுது டால்மியா தொழிலாளர்கள் முதன்மையாக உற்பத்தியைப் பெருக்கியிருக்கிறார்கள் என்பதை யாரும் மறுக்கமுடியாது. ஆகையால், தொழிலில் சமாதானம் வேண்டுமென்றால் நிச்சயமாக முக்கூட்டுக் கமிட்டி அமைத்து அதிகாரங்களை அதற்குக் கொடுத்து, மனிதன் நன்றாக வாழக்கூடிய அடிப்படை சம்பளம், போனஸ் கொடுக்கவேண்டுமென்று கேட்டுக்கொள்ளுகின்றேன். அப்படிச் செய்தால் நிச்சயமாக சென்னை மாகாணத்திலே குறிப்பாக தமிழ்நாட்டிலே, தொழிலாளர்களிடையே சமாதானம் நிலவும், அதனால் உற்பத்தியும் பெருகும் என்று சொல்லிக்கொண்டு, இந்த வெட்டுப் பிரேரணையை ஆதரித்து என்னுடைய பேச்சை முடித்துக்கொள்ளுகின்றேன்.”

* SRI M. JAGANNATHAN :—“ Mr. Deputy Speaker, Sir, while supporting the cut motion, I would like to say a few words with regard to the problems of labour.

[Sri M. Jagannathan]

[26th July 1952]

“ Sir, labour can be divided into two broad categories—first of all, industrial labour and then agricultural labour. As regards industrial labour, I can say quite a number of things; but since the time at my disposal is very short, I do not want to catalogue the grievances of industrial labour. I would confine myself to inviting the attention of Members of this House to one particular industry wherein a large number of Harijans are employed, i.e., the tanning industry. In this industry, quite a large number of Harijans are employed. By the very nature of the work they are turning out in the tanneries, these people are put to very great inconvenience and a lot of suffering in the sense that they do not get even a subsistence wage and they are not working in sanitary surroundings. These Harijans are turning out work which is most unpleasant, as the work of tanning is most stinking and foul-smelling. Such tanning work is mostly undertaken by the Scheduled Castes. I submit these people should be given opportunities to earn a living wage which will enable them to make both ends meet and keep them in good comfort.

“ As regards agricultural labour, I would like to say that the vast majority of agricultural labourers happen to be landless labourers. Here again, most of them happen to be Harijans and they are still in a state of hereditary bondage; and they are working according to the sweet will and pleasure of the mirasdars and the landed gentry. The mirasdars do not even give a subsistence wage to these Harijans, even though they turn out an enormous amount of work in the fields from morning to evening, under rain and shine. Yet, what they get is only a pittance which is not sufficient to keep themselves and their families above want and to enable them to enjoy the fruits of life. I, therefore, request the Government to enact such legislation as would safeguard the interests of millions of these agricultural landless labourers in our State, who are mostly Harijans. I also request the Government to expedite the passing of an Agricultural Minimum Wages Act, so that these poor unfortunate millions of people may be benefited.

“ Another important aspect of the problem of labour, which I wish to refer to, is the practice obtaining in the South Arcot district, in one particular sugar factory at Nellikuppam. In that factory, not less than 3,000 to 4,000 people are employed, and most of them happen to be Harijans, members of the backward classes and poor Muslims. These people do not get a subsistence wage at all, and all that they get per day is less than a rupee in spite of the very valuable work that they turn out in the preparation of jaggery, sugar, sweetmeats, etc. The conditions of work inside the Nellikuppam factory are very very unsatisfactory and most nauseating—if I may be permitted to use that expression. I would invite the Hon. the Minister for Labour to pay a surprise visit, if possible, to this Nellikuppam sugar factory, so that he may be in a position to see for himself the appalling conditions in which these unfortunate Harijans and members of the backward classes and poor Muslims are working . . . ”

DEPUTY SPEAKER:—“ The House will now rise for lunch.”

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(After lunch—2-30 p.m.)

* SRI M. VEERABHADRAM :—“ Mr. Speaker, Sir, I rise to support the cut motion and in doing so, I shall bring certain issues before the House. First of all, the Government must realise that labour is an important factor in production and as long as this factor is not recognized, the Government cannot bring about industrial peace in the land.

“ Coming to the Trade Unions Act, under that Act, the right is given to the workers to organize trade unions. But what is it that is happening in practice? Unions, sponsored by the employers are getting priority over genuine unions, regarding registration and other matters. Taking a matter of recent occurrence, certain workers of the Vuyyuru Sugar Mills applied for registration and before it was registered, the union sponsored by the management was registered—it was registered earlier than the genuine union. There is another aspect of the matter here. It is a long process to get a union registered. What is the process? First of all seven workers have to apply to the Registrar of Trade Unions; the Registrar in his turn sends the application to the Labour Officer concerned for enquiry and the Labour Officer at his convenience fixes a date and goes to the particular place or asks the workers to go to his office; then he verifies facts and sends the report to the Registrar and then there is the registration of the trade union. By the time this process is gone through it will be not less than two months. But, meanwhile, the employers will get a scent of it and they will use all the methods that they are capable of using, and by harassing and intimidating they get their union registered earlier. I want to suggest to the Government a method by which the registration can be expedited and that is this, Sir. The application must be submitted to the Registrar of Trade Unions and a copy should be sent to the Labour Officer concerned. The Labour Officer need not wait for a communication or instructions from the Registrar; on his own initiative he can make the necessary enquiries and satisfy himself whether the members are really workers of the undertaking and whether they have actually signed the applications and immediately the enquiry is over, he can send his report to the Registrar and see that the union is registered at an early date. If seven workers of the undertakings go to the Office of the Labour Officer and there sign in the presence of the Labour Officer, there need not be any enquiry and the Union can get itself registered almost immediately. In this connexion, I would like to suggest to the Government to fix a time-limit, say, a month within which the union should be registered. In the alternative, the Office of the Commissioner of Labour must intimate to the person concerned why there was delay in the matter of the registration.

“ Coming to trade disputes, much delay is being caused in settling them because of the long process and the length of time taken up before the trade dispute is referred for adjudication. For example, the workers of the Chittivalasa Jute Mills put up their

[Sri M. Veerabhadram] [26th July 1952]

demand before the management and the Labour Officer enquired into it but the report has not yet reached the Labour Commissioner though a period of two months has elapsed. And, in the meanwhile, if the workers go on strike, the Government will not hesitate to ban the strike and declare it as illegal but the workers' grievances will not be taken into consideration by the Government and the dispute referred for arbitration. I want in this connexion to draw the attention of the Government to a section of the Industrial Disputes Act. Under that provision, the Government need not necessarily follow this process because if there is an apprehension of a dispute arising in any industry, the Government can straightway refer the disputes to the Industrial Tribunal. I suggest that the Vuyyuru Sugar Mills dispute, the Chittivalasa Jute Mills dispute and the Nellore Motor Workers' dispute should all be referred to the Industrial Tribunal immediately so that no time may be lost.

"I wish to submit to the House that the Minimum Wages Act is a big hoax. In the morning today, during question-time, the Hon. the Minister for Labour, while replying to a supplementary question, said that the report of the Minimum Wages Committee had been published. But I want to submit that it is not correct and the report has not yet been published and it has not yet seen the light of day. What did the Committee recommend? The Committee recommend certain minimum wages for certain categories of employees under local authorities but the Government have put the report in the waste paper basket and of their own accord, they have fixed Rs. 25 as minimum wages and all this, after they had appointed a Committee to recommend minimum wages. The Government spent nearly Rs. 8,000 on the Committee and the Committee gave a report and are the Government justified in not publishing the report and not also implementing the recommendations? I say, therefore, that the Minimum Wages Act is a hoax; it is not being implemented properly and I, therefore, suggest that the G.O. No. 1355, dated the 25th March 1952, should be scrapped immediately and the whole thing must be re-examined or the recommendations of the Minimum Wages Committee must be implemented.

"Coming to the question of casual labour, I wish to submit that it is the most exploited and the most affected in the State. There is no law protecting the rights and interests of casual labour. I, therefore, urge upon the Government to bring in legislation immediately in the next sitting of the House with a view to regulate the conditions of casual labour.

"Mr. Speaker, Sir, during the period from 1948-51, there were 368 workers detained by the Government for reasons best known to the Government themselves. Most of them or almost all of them have not been taken back as soon as they were released and I want to urge upon the Government to see that they are taken back in employment immediately."

2-40 p.m. * SRI S. PAKKIRISWAMI PILLAI :—"Mr. Speaker, Sir, we know that the Labour Department is a machinery set up for

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implementing the policy of the Government as far as workers are concerned. When it is there specifically for safeguarding the interests of the workers, we have got instances to prove that this department has been working for promoting the interest of the capitalists and the employers. We know, Sir, in the last year, 1951, when there was a disturbance in the Buckingham and Carnatic Mills, the Development Department did not hesitate to sanction a Police station to be located inside the mills. Even though this question has now become a dead issue, the management of the Buckingham and Carnatic Mills have taken advantage of it for increasing the work-load and have made the workers work like slaves in the mills. In the 'Swadesamitran,' the 'Dinamani' and 'Express' workers' disputes, it was the same case. The Government was in a mood to help Mr. Goenka and Mr. Srinivasan who are the proprietors of those concerns. Even though the dispute has been referred to the Industrial Tribunal in Madras and afterwards the workers have taken the case before the Appellate Tribunal, it has not yet disposed of the case. The Appellate Court has not come over here to Madras. In this particular case, I may be permitted to observe that I am reliably informed that the Government of India have been asking the State Government to provide them with accommodation for locating a permanent Full Bench of the Appellate Tribunal. The Government, I am sorry to say, have not so far cared to see that a building is provided for the Bench.

"With regard to the question of minimum wages, I do not agree with the policy of the Government in fixing lower wages for several categories of employees. I know that in the Corporation for several categories of workers minimum wages have been fixed at Rs. 15 per mensem inclusive of all allowances. I am not able to see the real motive behind it. I do not know how the Government can have the moral courage to force other employers to fix higher rates of wages when they themselves are not coming forward to help these workers with better rates of wages. There is also this other question. We know that the Government of Madras are the first and foremost in enacting the Act called the Madras Shops and Establishments Act. It was enacted, as the Government claimed in the Preamble, with a view to controlling the working conditions of workers in shops and commercial establishments and hotels. But a perusal of the Act will show that there is no provision as far as fixing of minimum wages, annual increments, etc., is concerned and I think that the whole Act should be scrapped and a fresh Committee should be set up for substituting another Act. I am citing this as an example. Under section 41 of the Act, if after an enquiry a decree is passed, there is no provision in the Act to realize the decree amount from the employer, if he fails to comply with the orders of the appellate authority. In this case, the appellate authority is the Commissioner of Labour. For recovering decree amounts, there should be provisions, on the lines of the provisions in the Factories Act for the purpose of recovering the amount as land revenue.

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"Regarding beedi workers, may I suggest that the Government should devise means by which there should be control over the issue of licences? When there is a dispute and the factory-owners are asked to do certain things, the factory-owners are not inclined to observe the terms and conditions specified by the Labour Commissioner or the Tribunal. In the absence of compliance, they should be able to penalise those people and that could be done only by cancelling their licences. Then only shall we be able to help this category of workers. I suggest that the beedi workers should be treated on the same footing as handloom weavers. Much more than a million are employed in these factories and most of them belong to the Muslim community and they are very poor. They are not well-treated by the factory-owners and the Government are not in a position to help them by providing suitable enactment to govern their conditions of service."

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* SRI N. MAHALINGAM :—"Mr. Speaker, Sir, in rising to support this Demand—Labour including Factories—I have to make a few suggestions to the Hon. Minister for Industries. This Demand for Rs. 18 lakhs covers only a limited number of workers in this State. The workers who come under the Factories Act and the Shop Assistants Act and other Acts are only a small percentage as compared with the total number of workers in this State. Therefore, it is the duty of the Government to see that the whole working class is brought under one Act at an early date.

"Now I come to Factories. This is a subject in the Concurrent List in the Constitution and any measures connected with the factories have to be decided upon by the State Government in consultation with the Central Government. Sir, it would be better if the Centre contents itself with the broad principles of a particular measure and leaves it to the State Government to work out the details. Now, as it is, even for minor changes we have to consult the Central Government and this creates a lot of delay.

"Again, under the Industrial Disputes Act, there are a number of appeals that are being taken to Bombay. This system not only causes waste of time but also waste of money and waste of energy, both for the employers and employees. It would be better if the Tribunal constituted by the State Government is made the final Appellate Tribunal or in the alternative the High Court made the Appellate Court so far as industrial disputes are concerned. This will not only lessen the number of disputes but will be of some benefit to labour.

"In my constituency, there are about 40,000 plantation workers. Here also the State Government has to depend much upon the Central Government for bringing in any legislation for the welfare of the plantation workers. With regard to bonus for plantation workers, the Central Government has to decide about the quantum of bonus and the State Government has no voice in the matter. It would be better if more power in this regard is given to the State Government as that will improve the condition

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of the plantation workers. The conditions of workers in the plantations are much worse as compared with the workers in other industries like Textiles, Motor Transport, etc. The housing conditions of the plantation workers in the Tea Plantations at Anamalais are very bad. It will be better if new colonies are created in those areas. Now, the workers are living in the quarters provided by the management. It will be better if the managements and the Government give the money necessary for the creation of these colonies near the plantations. Even in the case of eviction, the workers who have been evicted need not leave their houses and go away.

" Sir, the workers employed in the Cinchona plantations run by the Government are not paid the same wages as are paid to the workers in the plantations under private management. The Government, as the biggest employer, should set an example for other employers by raising the wages of workers employed in their plantations. Similarly in the case of the Government Motor Transport, when the Venkatramana Award was announced, the Government said that they would be exempted from the award. Is it right on the part of the Government to get themselves exempted from the award when other employers are required to implement the award? The Government should be the first employer to implement the award.

" Now I come to the Health Insurance Scheme. This scheme has been instituted by the Central Government and they are going to administer it. It will create a lot of administrative difficulties if the Centre takes up the execution of this scheme. It will be better if the Department of Industries of the State Government is entrusted with this work.

" Sir, the Shop Assistants Act is being enforced even in minor panchayats, which creates a lot of difficulties. If the enforcement of this Act in minor panchayats and municipalities is left to the Chairmen of Municipalities, it will be better as the local people with their local influence will be able to implement the Act in a better way.

" In the big cities, Labour Officers can be directly appointed by the Commissioner of Labour. Even Assistant Labour Inspectors do not have a chance of getting promotion. They serve under the Factory Inspectors but are technically not qualified to be promoted to the superior's post. I hope the Government will look into the matter and see what can be done for them.

" After the Shop Assistants Act has come into force, a number of amendments have been brought forward which exempted certain establishments from the provisions of the Act. Now, there are more exemptions from the Act than the original Act itself. It will be better if a Committee is appointed to re-examine the provisions of the Act so that we can leave off some of the difficult clauses and see that the Act that is finally got up is properly enforced.

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"Yesterday, my hon. Friend Mr. Venkateswarlu referred to the working of democracy in East European countries. The working of democracy in those countries is not proper. In those countries, even trade union rights are denied; there is no right of organising a Labour Union; and there is no right for the people to strike."

SRI C. V. K. RAO :—"On a point of order, Sir, I want to know whether it is in order for the hon. Member to speak about East European countries, when they have nothing to do with the Demand under discussion?"

MR. SPEAKER :—"He is comparing the working of democracy in East European countries with our working of democracy."

SRI C. V. K. RAO :—"Even that comparison, I submit, is not relevant here."

MR. SPEAKER :—"He considers it relevant."

* SRI N. MAHALINGAM :—"The hon. Member Mr. Gopalan accused the State Government as being a pro-capitalist Government. That is why I want to compare the democracies existing in East European countries with our democracy in this country. In those countries, even trade unions are not recognized. Even a slight negligence in industry on the part of a worker will entail a long prison sentence. In the case of damage caused to property due to wilful neglect, even death sentences are given. In our country such things are not done. Some time ago, in a factory at Madukkarai there was a fire accident. This was due to indiscipline in the labour movement which had been created by the irresponsible labour leaders who exist to-day. If there is discipline in the labour movement, it will not only help the working class but it will also be good for the nation. The employers who care for the future of the country should meet the requirements of labour and provide them with the necessary amenities. At the same time strict discipline should be enforced in the ranks of labour. New trade unions are in existence to-day and they have all been started to serve the political ends of certain politicians. In Coimbatore, a very powerful trade union of textile workers was in existence till recently. Now there are two or three trade unions under the name of three parties, with the result the textile workers of Coimbatore are now divided and their organisational strength has gone down."

"I now come to production. The Government should give first priority to production and that should be their primary consideration . . ."

MR. SPEAKER :—"The hon. Member's time is up."

3 p.m. * SRI M. MUNI REDDI :—"Mr. Speaker, Sir, much has been said with regard to industrial labour. We are glad that Government are taking a very keen interest in bettering the lot of labourers. Many legislative enactments have been passed in the

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past to provide for them insurance, provident fund, limited working hours, allowances, amenities, compensation and so on. What is most needed to-day is that those legislative enactments should be enforced to the satisfaction of the labourers. Then only the lot of the labourers will be improved and then only will Government win the confidence of the labourers.

" Sir, in this connexion, as far as agricultural labour is concerned, I beg to state that it is the most neglected. Out of sixty million people in this State industrial labour constitutes at the most ten per cent of them. Of the five crores of the rural population, more than 30 per cent constitutes agricultural labour. Now, to-day, what is the condition of the people in the villages? What are the facilities that Government have given to agricultural labour? Sir, we are very glad that Government propose to fix minimum wages for agricultural labour. In this connexion I want to say that they should fix also minimum price for agricultural produce. For, it is a well-known fact that to-day agriculture is not a paying industry. Even after fixing their wages, the peasantry would not be well off without fixing a minimum price for their produce. In this State, last year, the price of paddy per maund was Rs. 9; but we were importing more than seven to eight lakhs of tons of paddy from Burma and other places at the rate of Rs. 23 per maund. On account of this, our State had to lose 41 crores to foreign countries. Now if a higher price had been paid for our agricultural produce, there would have been more production of food in our country itself, and all this 41 crores could have been saved to our ryots.

" Then, Sir, in the rural areas, the condition of agricultural labour is bad. The peasant has to toil day in and day out. But what is the case of the industrial labour? His hours of work are fixed. Even though the agricultural labourer works day in and day out, he is not taken care of by the Government. Sir, in the City of Madras, in Gandhinagar lakhs of rupees have been spent on building houses; but, I ask, what amount has been spent in the rural areas for housing agricultural labour? Then, Sir, there is also unemployment in villages. For more than three to four months in the year, the agricultural labourer is unemployed. It is up to the Government to see that some employment is created for him in the off-season. Various measures on a co-operative basis like bee-keeping industry, poultry industry, etc., must be developed so that the income of the poor labourer may be increased. Then, Sir, other ameliorative measures should be passed so that the labourer in the rural areas may lead a decent life. In short, there is a lot to be done to improve the condition of the peasantry in the villages. If the labourer goes to the forest to cut trees, he goes at night, and what protection is there for him against the wild animals? And what compensation is there if he loses his life? But, for industrial labour, there is compensation for loss of life. At present the rural masses are simply exploited like anything for the good of the urban people. While much is said about industrial labour, very little is said about agricultural labour. To-day, we talk of food production; we talk of

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increased production; we talk of self-sufficiency in food and so on; and how can we expect the peasantry to work day in and day out unless his condition is improved? Unless that is done it will be very difficult for this country to solve the food crisis.

"Then, Sir, there was a suggestion with regard to the municipal employees union. It was said that outsiders were not allowed to be members of the union. That is, only municipal employees can be members of the union; and only they can occupy any position in the union. This rule debarb outsiders, that is, non-employees from becoming Secretary or President or any other functionary. I request Government to look into this matter and make suitable provisions in the rules to enable outsiders to enter the union. For the employees by themselves are not able to put forth their grievances properly to the proper authorities. With these words, Sir, I support the Demand."

* SRI G. C. KONDAIAH :—"Mr. Speaker, Sir, I oppose the Demand and support the cut motion. Sir, there are labour conciliation officers and labour tribunals to deal with the problem of labour, and yet, there is discontent and strike in every sphere of industry. Now, what is the cause for this unrest? Government may feel that certain people are always inciting workers to unrest and anarchy. That is entirely baseless. Can hundreds and lakhs of workers afford to go on strike and lose their job for fun? Surely there must be some reason for their action. Unless there is something seriously wrong, a strike would not take place. Now, what is the cause for all these labour strikes? If we look into the life of the labourers and analyse their grievances it would reduce itself ultimately to the question of ensuring a living wage. So that is the first cause. Next comes the need to have a guarantee for their job. In both these matters Government are not doing anything. Only by solving these two problems satisfactorily can justice be done to the working class. So, Sir, unless and until Government fix a minimum living wage for all categories of workers including agricultural workers and see that it is paid by all employers, be they the owners of factories or merchants or landlords, there will be no peace in the country. Government should not keep silent listening to the grievances of workers when they approach them. They should not allow the employers to have their own way. Government, in fact, all along by their silence, were encouraging employers to exploit the workers more and more. I shall give the House an instance of this, and from it, it will be seen how Government have been shirking their responsibility. Sir, in 1948 in the case of bus workers in Nellore, the bus workers demanded from the Naziriah United Bus Service, Nellore, bonus and dress allowance. But the management refused it on the ground that the demands were high. Thereupon the bus workers decided on a strike. At this stage the Government intervened and the bus strike was averted. The case was referred to a labour tribunal and it gave an award. But the award was not implemented by the management. For four years the bus workers waited, looking to the officials to intervene and force the management to implement the award. The workers requested the Government to intervene

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and force the management to implement the award. But Government kept quiet and did not move an inch in the matter. So, again, in the second week of May last, there was a bus strike in Nellore. This time the Government did not interfere. But the District Collector and the Labour Conciliation Officer intervened and somehow the strike was stopped after four days and a compromise was effected.

“ Sir, the Labour Conciliation Officer at Guntur tried to see that the agreement was implemented but every effort of his was in vain. They again approached the concerned Minister and the officials and so far nothing has been done. Thus, it is the owners and the owners only who flout the awards of the labour tribunals. In the recent strike also it was the owners who flouted the award of the tribunal. It is they who are against the Government and the Government have no power or strength to go against them. Even with all their lathies and guns, they will never go against the owners. But, if it is a case against the workers the Government will immediately see that Law and Order is maintained and that the Police Force moves against the workers. If it is a case of the owners flouting their awards the Government will not go against them. 3-10
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“ This has been the case even with the tannery-owners in Vellore who closed their tanneries. Recently some tanneries were reopened but the owners had another trick up their sleeves to shut the workers out of their jobs. They have changed the old names of the tanneries and put up new boards announcing new names. Some of the workers have been done out of their jobs on the plea that the owners were starting new industries. This is how the tannery workers are being exploited and the Government have not at all intervened and, if at all they intervene, it takes them years and years to come to a settlement. We find that some cases are not referred to the labour tribunals at all. If this is the way in which Government are proceeding, I do not think there will be any peace or contentment among the workers. If the Government are interested in solving the problems of the workers, they must take strong measures and stern action against the owners to see that they at least implement the awards of the labour tribunals. Wherever there are strikes, the disputes must be immediately referred to the labour tribunals and the awards of the tribunals must be implemented at once. If the Government do not adopt this attitude, I am sure the workers are not going to keep quiet for a long time. Already there is discontent and there are strikes everywhere in every branch of industry. If the Government do not change this attitude of theirs, the discontent will be intensified and then peace, Law and Order and everything else will be in danger. I, therefore, request the Government to see that they do not side with owners. They should put an end to this partiality and side with the cause that is just and see that the lot of the workers is really improved.”

* SRI C. H. KANARAN :—“ Mr Speaker, Sir, தொழிலாளிகளது அமைதியைப் பாதுகாக்க அரசாங்கம் நடவடிக்கை எடுக்கவேண்டும் என்று கேட்டுக்கொள்கிறேன்.”

[Sri C. H. Kanaran]

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ചോദ്യങ്ങളിൽനിന്നും അതിന്നു കീഴ്ന്ന ഉത്തരങ്ങളിൽനിന്നും മനസ്സിലാക്കുവാൻ സാധിക്കുന്നു. ഇന്ന് നാളെ പടർന്നുപിടിച്ചിട്ടുള്ള നെയ്ത്തുതൊഴിലാളികളുടെ തൊഴിലില്ലായ്മ സമ്പ്രദായ ചോദ്യമെല്ലാം അവസരത്തിൽതന്നെ ഒരു scheme ന്റെ പേർ പറയും—Rayan Scheme എന്നു കേൾക്കേണ്ടതും പറയും—അതു കടന്നു വന്നിട്ടു ചോദ്യങ്ങൾ പറയുക ആകട്ടെ ആലോചിക്കേണ്ടതാണ്. എന്നിട്ടു ചോദ്യങ്ങൾക്കു മുമ്പേ കേൾക്കേണ്ടതും അതെല്ലാം മാസങ്ങൾക്കുള്ളിൽ ഉത്തരമെന്തായിട്ടുള്ളതു ഇതു അധികം ഉണ്ടായിട്ടു, സ്ഥിതി വരുത്തേണ്ടതായിട്ടു, ഈ ഗവണ്മെന്റു മുമ്പടി പറയുവാനുള്ളതു ആലോചിക്കേണ്ടതു, അങ്ങനെയുള്ളതും ആലോചിക്കേണ്ടതാണ്. ആൻ ചോദ്യം, ഈ തൊഴിലാളികളെല്ലാം തന്നെ പട്ടണത്തിൽ ഉൾപ്പെടുത്തണമെന്നും ഈ തൊഴിലില്ലായ്മ പ്രശ്നം പരിഹരിക്കേണ്ടതു പറ്റിയുള്ള ആലോചന പറ്റിയായിരിക്കണം. അതും, മരിക്കുന്നതിനും മുമ്പെത്തന്നെ, അവർ ജീവിച്ചിരിക്കുന്ന കാലത്തുതന്നെ, ശാരീരികമായിരിക്കുന്നതിനും മുമ്പായിത്തന്നെ ഈ ഗവണ്മെന്റു വെല്ലുവിളിക്കുന്നതായിട്ടു, ഈ ഗവണ്മെന്റു ചോദ്യങ്ങൾക്കുള്ളതു. അതിൽ കമ്പോളം വെല്ലുവിളിക്കുന്നതായിട്ടു ചോദ്യങ്ങൾ മുമ്പടിയും ഇല്ല. അതെന്തിനും മുമ്പാകെ ചോദ്യങ്ങൾക്കുള്ളതു കീഴ്ന്ന ഉത്തരം ആലോചിക്കേണ്ടതാണ്. ഇത്തരം ഗവണ്മെന്റു നോട്ടു ചെയ്തെടുത്തു വീണ്ടും കർമ്മങ്ങൾ ആവശ്യപ്പെടുമ്പോൾ എന്നു ചോദ്യങ്ങൾ പറയുന്ന ആലോചനകളും. നൂറു നൂറു വലുതാക്കുന്നതിനും പ്രവർത്തിച്ചാൽ, ഈ അതെന്തിനും ഉടർന്നുവരുന്നതും ഇരിക്കും. തൊഴിൽ മന്ത്രി ആലോചിക്കുകയും ചെയ്യും, നാട്ടിലെ തൊഴിലാളികൾ വെല്ലുവിളിക്കുന്നതായിട്ടു പട്ടണത്തിൽ കടന്നുവരുന്നതും ഇരിക്കും. അവർക്ക് അധികം പേർ കർമ്മങ്ങൾക്കും ഉണ്ടാകുന്നതും ഈ ഗവണ്മെന്റിന്റെ തൊഴിൽനയം എന്നാണ് ആൻ ചോദ്യങ്ങൾ.

“കുറുപ്പായിട്ടു ഈ ഗവണ്മെന്റിന്റെ ശ്രദ്ധയിൽ പെടുത്തുവാനുള്ളതു ഈ സംസ്ഥാനത്തിൽ മൂന്നു ലക്ഷത്തോളം തോട്ട തൊഴിലാളികളുണ്ട്. ഈ തൊഴിലാളികൾ I.N.T.U.C. യുടെ കീഴിലാണ് സംഘടിപ്പിച്ചിട്ടുള്ളതു. കേരള കോൺഗ്രസ്സ് നേതാക്കൾമാർ സംഘടിപ്പിച്ചിട്ടുള്ള ഈ സംഘടനയുടെ നേതൃത്വത്തിൽ കീഴിലുള്ള ഈ തൊഴിലാളികൾക്ക് പണിമുട്ടുകയും നോട്ടു ചെയ്യുകയും ചെയ്യുന്നതായിട്ടു വന്നു. എന്നാൽ ഗവണ്മെന്റു ചെയ്യുന്ന പേക്കുന്നതും ആലോചിക്കാൻ തുടങ്ങി. അതിന്റെ അലോചനയിന്റെ ശേഷമാണ് ഒരു Tribunal ഉണ്ടാക്കിയതു. അതെല്ലാം മാസമായി Triunal നടന്നുവരുന്നതായിട്ടു. ഇതേവരെ വിധിചെയ്തതും ഉണ്ടായിട്ടില്ല. ഇതേ ഗവണ്മെന്റിനുള്ളതും കേരള പ്രസിഡന്റുള്ളതു തിരുവിതാംകൂറിലെ തോട്ടതൊഴിലാളികളുടെ കൂലിയെ സംബന്ധിച്ചു ഒരു വിധി ഉണ്ടായിട്ടുണ്ട്. അതിന്റെ പദ്ധതിയിൽ ഒരു പുതിയ തൊഴിലാളികൾ 1 ക. 9 ന. 6 പ. യും, ഒരു സീനിയർ തൊഴിലാളികൾ 1 ക. 3 ന. 3 പ. യും, ഒരു ചട്ടി 12 ന. 9 പ. യും ആണ്. ഈ കൂലി നിരക്കുകളും മെറ്റീരിയൽ സാധനങ്ങളും നടപ്പാക്കിക്കൊടുക്കുന്നതും ചോദ്യങ്ങൾ പറയും അതു തിരുവിതാംകൂറിൽ ആണെന്നും. തൊഴിലാളികളുടെ കൂലി കൂട്ടിക്കൊടുക്കാതെ, അതേ ഉടച്ചുകൊടുക്കുന്നതും ഒരു ഫാസ്റ്റ് നിയമപ്പെട്ട ഈ ഗവണ്മെന്റു കൈക്കൊള്ളുന്നതു എന്നു ആൻ ചോദ്യങ്ങൾക്കുള്ളതു. അതേ സമയം മുതലാളികൾക്കു കാര്യം സാധിക്കാൻവേണ്ടി അമർ ഒരു complaint കൊടുത്താൽ മതി. പോലീസ് ആ മുതലാളിയുടെ സഹായത്തിൽ മാടി എത്തുകയും ചെയ്യും. മെറ്റീരിയൽ തന്നെ ഇതിനുള്ള കോളാർഡ് നോട്ടു ചെയ്ത തൊഴിലാളികൾ അവരുടെ ചില ന്യായമായ ആവശ്യങ്ങൾ മുതലാളിയോട് ചോദ്യങ്ങൾക്കുള്ളതും മുതലാളി പോലീസ് നിയമിക്കുന്നതും ചോദ്യങ്ങൾ. പോലീസ് നോട്ടു 16 പേർ അറസ്റ്റ് ചെയ്യും. എത്ര ചോദ്യങ്ങൾ മുതലാളികൾക്കു പോലീസ് നോട്ടു നേരെ മറിച്ചു മൂന്നു ലക്ഷം തോട്ട തൊഴിലാളികളുടെ, മൂലധനവും അതായതും അടി ഉയർത്തിയ മലയുടെ മുകളിൽ ജീവിക്കുന്ന ഈ പാവപ്പെട്ട തോട്ട തൊഴിലാളികളുടെ കാര്യത്തെപ്പറ്റി ചിന്തിക്കാൻ പറയുമ്പോൾ, അതു ഇപ്പോഴും ആലോചനയിൽ ആണ്. ഇതു തീർത്ത അലോചനയാണ്. എന്തെന്നും കേൾക്കേണ്ടതും കേൾക്കേണ്ടതും ആലോചന തീർക്കേണ്ടതു. എന്താകാട്ടു തൊഴിലാളികളുടെ കാര്യത്തിൽ ഗവണ്മെന്റിനെ കീഴ്ന്നു വേഗം നീക്കം ചെയ്യാൻ എന്നാണ് ചോദ്യങ്ങൾക്കുള്ളതു. ഈ തോട്ടതൊഴിലാളികൾ ജീവിക്കുന്ന രീതി നോട്ടു ചെയ്ത അറിയാമെങ്കിൽ, അതു പരക്കെത്തന്നെ അറിയാൻ തന്നെ ഈ ഗവണ്മെന്റിനെ അപരാധകമാണ്. നാലഞ്ചു കട്ടുവെട്ടാൻ കൂട്ടാൻ കർമ്മങ്ങൾ കൂട്ടിക്കൊടുക്കുന്നതും മറിച്ചു മറിച്ചാണ് രാമലിപ്പിക്കുന്നതു.”

MR. SPEAKER :—“The hon. Member's time is up. He will resume his seat.”

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SRI P. RAMAMURTHI :—“ Mr. Speaker, Sir, this morning the Hon. Minister for Labour introduced the Demand under the head ‘ Labour including Factories ’ and made a report on that to the House. Hearing the introductory speech of the Hon. Minister, I was wondering whether he was reading through a report prepared for an encyclopædia regarding the number of labour laws that have been enacted by the Government of India and what exactly the scope of these labour laws was. The entire report just gives us a resume of the various laws enacted during the last four or five years, the Industrial Disputes Act, the Minimum Wages Act, the Social Insurance Scheme, the Provident Fund Scheme, etc., etc. But, what the Minister for Labour failed to tell us, or forgot to tell us or did not want to tell us or he cannot tell us to-day—I am aware of the fact that he has been in charge of the department only during the last three or four months but nonetheless it is his duty—is how exactly these various labour laws have been administered in this State. What is exactly expected of the Minister for Labour and of the Government is, whether as a result of the working of these various Acts, it is considered necessary to bring some changes or formulate a new policy. We are not here to be just taught what exactly is the scope of the various laws that have been enacted from time to time. We, on this side of the House, are quite aware of the fact that many of these Acts are mere paper Acts.

“ One thing I would like to clear at the very outset. It is often said that those people who call themselves as labour leaders, who style themselves as labour leaders, are interested in creating trouble. It is further said that the labourers are innocent people, that they are all susceptible to alien influences and that the labour leaders are a set of politicians who have their own personal or political ends to gain; and so they go, it is said, to the innocent labourers just for the purpose of inciting them and all the trouble in this country is caused by these diabolical set of people. 3-20
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“ Mr. Rajagopalachari was the Prime Minister of this State from 1937 to 1939. Subsequently there have been various other Governments including that of the Congress. When Mr. Rajagopalachari was the Prime Minister of this State, there were a number of labour disputes. I would just ask him to refer back to the adjudication proceedings or proceedings of the Courts of Enquiry conducted during the period between 1937 and 1939. I throw a challenge to the Chief Minister whether he can point out a single instance wherein the Labour Courts which went into the various disputes that had been raised by us had found us to be in the wrong. I make bold to say, even after 1937-39, between 1942 and 1948, let him refer to the various adjudication proceedings in which we were parties—let him for example refer to the Madukkarai adjudication proceedings—and point out a single instance wherein our case was found to be wrong and wherein it was stated that we on this side incited labour.

“ I would like next to refer to the basic policy underlying the whole thing. It was certainly very good of the Hon. Labour

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Minister to give us once again a resume of these various legislations. But we know how these legislations have been worked. Whatever might have been the pieces of legislation that were enacted, all these legislations are dead letters, so long as we do not have a strong labour organisation, a strong trade union organisation, which can stand guard over the interests of the workers and which will be able to take up cases where these labour laws are actually infringed. Without such strong trade unions, it will not be possible for the Government or for anybody to enforce these legislations whatever might be the nature of the laws that might be enacted from time to time. It must be the duty of the Government to see that trade unions in this country flourish. This is the basic thing. What is the attitude of the Government with regard to trade union organisations? Well, Sir, homilies are preached that there must be co-operation between labour and employers and that labour and employers are partners in the industry. I do not know what exactly is meant by the terms, 'co-operation' or 'partnership.' These two words connote certain things. These two words, as far as I understand the English language, connote that there is equality of status. Unless equality of status is accepted, where is the question of co-operation between labour and employers? What is the use of preaching from house-tops that labour and employers must co-operate? I ask, is there equality of status for these people to come together?"

"What is the fundamental thing that has been accepted in all civilized countries where the trade union movement has gone forward and where, for example, industrial development has taken place? The basic and fundamental thing that has been accepted in all those countries where industrialization has taken place—I am not talking of Nazi or Fascist countries—is the right of collective bargaining. This is the basic and fundamental thing governing industrial relations. Have we got that right of collective bargaining? Does our Constitution guarantee it? Our Constitution does not guarantee this right of collective bargaining to the workers. What is the attitude of our Government towards collective bargaining? The principle of collective bargaining presupposes that trade unions must be recognized by the employers. Unless there is a trade union which is recognized by the employer and which is fully competent to conclude a collective agreement on behalf of the entire labour, the term 'collective bargaining' loses all meaning. Therefore, the question of recognition of trade unions is not something in the nature of a gift. It is not something in the nature of a favour that is to be conferred on labour by the employers. Behind the principle of recognition of trade unions lies the understanding that there must be collective bargaining. Without the right of recognition there is no question of collective bargaining, and there is no question of co-operation. There is only conflict. This is the elementary principle of trade union organization. Do our Government enforce this right anywhere? I know that employers in this country to-day do not want to recognize trade unions because they feel that the trade union organizations cut across their very profits. Therefore, employers

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are interested in starting what is called in common parlance, company unions. There is, for example, the T.V.S. Bus Service in Madurai. Hundreds of thousands of workers were dismissed simply because they had struck work in 1948. Immediately after the strike the company started a union. Of course, for all outward purposes it is a trade union. The Government also registered that union. Of course, under the Trade Unions Registration Act, any seven workers can form a trade union organization. Such a thing is not peculiar to the T.V.S. Bus Service Company alone. This is something common to all the managements in the State and in the country. Of course, our Government will be ready to recognize all unions formed by the managements, which in any other country will be deemed as arising out of malpractice or out of unfair practice as it is called in trade union language. Such unions will be recognized by our Governments and the Hon. Mr. Rajagopalachari as Chief Minister will even go and preside over the functions of such unions. Taking advantage of the Chief Minister's visit, the management may even dismiss some workers whom they do not want.

"What is the attitude that the Government have adopted on the question of victimisation of workers? In the past, Government have stated that there should be no victimisation. As a matter of fact, when the Hon. Mr. Rajagopalachari was the Chief Minister in this State, during 1937-39, there was a dispute between the workers and employers of the Tramway Company, Madras, and the dispute was referred for adjudication by Justice Panduranga Rao. In the award given by Justice Panduranga Rao, which is one of the finest awards given so far, it is laid down as a basic principle that there should be no victimization of trade union workers. Subsequently that principle was followed for a number of years. But what is happening now? Hundreds and thousands of workers are being dismissed on the flimsiest of grounds. For example, is it not a fact, Sir, in 1948 in the Madura Mills, about 168 workers were dismissed for the only reason that they were active trade union workers? A similar thing happened in Vikramasingapuram and the management shamelessly stated before the Tribunal that certain workers were discharged because they had something to do with the Communist Party, or simply because they were having the Communist Party emblem of the sickle and hammer on their Savings Bank Pass Books. This sort of thing has been going on in this State during the last three or four years.

"This is a thing which is confined not only to this place. There was a fire in some department of the Madurai Cement Factory in 1949. Immediately about 38 workers were dismissed. I know one of the biggest Congress leaders of the State, Mr. C. P. Subbiah, went about saying that it was a case of sabotage where the workers deliberately set fire and on that basis canvassed votes against the Communist Party. But what happened? The police found that there was no case against the workers whatsoever; the case had to be withdrawn. The Factory was insured and the management approached the Insurance

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Company. The enquiry made by the Company revealed that it was not a case of sabotage but that the fire was caused by the falling down of a live electric wire. Of course, the management got the money allright from the Insurance Company. When it was said that the discharge of workers was victimization, what was it that the management told us? In a recent letter written by the Conciliation Officer to the Secretary, Development Department, a copy of which has been received by us, it is said: 'The management tells us that these people were dismissed not for any fault of theirs. The police reported that they were engaged in subversive activities and, therefore, they had no other go than to dismiss them in the interests of the workers as well as the management.' I do not know why the police were asked to make a report to the management. Anyway, there it is. The management dismissed people on the basis of certain reports. Is it not a case of victimization? I can quote hundreds of similar cases. Mr. Jeevanandam referred to the case of Thompson & Co. In a number of factories, victimization has become a most common thing. So long as the policy of not recognizing trade unions continues, there cannot be any co-operation or collective bargaining and all talk of co-operation has no meaning whatsoever.

"What is the attitude of the Government towards their own labour? When the Bus Award was given in 1949, the Madras Government said that the Government City Bus Service was exempted from the operation of the award and that the award was applicable only to the other bus operators. When the question of confirmation of people who have put in five years and ten years of service arises, what is the attitude of the Government? For example, is it not a fact that in the Madras Electricity System, people who have put in ten years and fifteen years of service are on what is called non-muster roll? When that is the attitude the Government take, I fail to understand how they can ask other people to behave properly. I can go on multiplying instances. In department after department, workers remain temporarily for years together. It is not as if the work on which they are employed is intermittent; it is a continuous work. Nonetheless, workers have been kept on either casual labour or non-muster roll labour and things of that type. They are not eligible for the benefits for which other workers are eligible.

"It is very good to read in the papers that there is a minimum wage legislation. But how are the Government implementing it? When they started to implement this legislation, a number of trade unions in the State which were previously fighting for the interests of the workers were declared illegal. The real representatives of the workers were not consulted. What is the result? Somebody said this morning that the minimum wage of municipal workers was fixed at Rs. 25. Throughout this State, except in the famine-affected areas, an agricultural worker gets a minimum wage of one rupee per day. I ask the Hon. Minister whether a municipal worker should be paid much less than an agricultural worker. I am not saying that the agricultural worker should be paid less. Certainly we are all interested in improving the condition of

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agricultural workers. A municipal worker who is serving in the City has got to pay a high rent. If he is paid such a low wage including dearness and other allowances, what is the worth of this minimum wage legislation at all? I know, as a matter of fact, that in a number of places, the minimum wage has become the maximum wage. It is the minimum as well as the maximum. Take plantation labour, for example. The minimum wage recommended by the Labour Commissioner is Rs. 1-7-0. In the Anamalais in the adjacent area of Travancore-Cochin, the minimum wage has been fixed at Rs. 1-11-0. But our Minimum Wage Committee has fixed it at Rs. 1-0-6. A plantation labourer who is working only 2 miles away from our State border gets Rs. 1-11-0, whereas a labourer, simply because the plantation in which he works happens to be in this State, gets only Rs. 1-0-6.

"The Hon. Labour Minister was cataloguing the benefits derived from the various adjudication awards and said that the Industrial Tribunals had tried to relate wages to the level of profit obtaining in the industry. I am not an admirer of compulsory adjudication. I am one of those who feel that there should be no compulsory adjudication. It is one of the basic principles of trade unionism. That is just by the way. What are the steps that the Government have been taking all these years to see that the awards which are favourable to the workers are implemented? I can quote instance after instance where such awards have not been implemented. In 1948—there was no Industrial Tribunal at the time—the Government appointed what was called the Standardization Committee. It had no legal sanction whatsoever. The moment the Standardization Committee issued a report, copies of it were given to the employers even before they were given to the representatives of labour and trade unions. The Coimbatore mill employers jumped at that report and said within 15 days that 11,000 workers should be retrenched and the workload should be increased.

"It was not a binding award. There was no legal sanction behind it. But the Coimbatore mill-owners jumped at it and sent out about 11,000 workers. What was the Industrial Truce Resolution of the Government of India? Just about 15 or 20 days earlier I was a party to that resolution. I do not want to go into the details of that resolution. The basic fact is that that resolution postulated certain things and also that there shall not be anything done which would adversely affect the condition of the workers. It promised certain other things in favour of the working class. But nothing has been done. Immediately after the resolution was passed in Delhi, and the moment I came back, I was faced with the situation arising out of the dismissal of 11,000 workers. The Coimbatore mill-owners sent out 11,000 workers on 26th January 1948. This was the result of the Industrial Truce Resolution. Did the Government of Madras at least take into their heads to consider 'here is a resolution which all parties have accepted; the mills cannot dismiss workers like this; let us wait; let us deal with the question afresh with reference to

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the Industrial Truce Resolution.'? They did not. When about 11,000 workers were dismissed on the basis of a report, which did not have any legal sanction behind it whatsoever, naturally they, the workers in Coimbatore, Salem and Tiruchi, who were affected by that award, immediately went on a general strike. It is not we alone that went on a general strike. The hon. Member, Mr. Kuppaswami, sitting opposite was also one of the leaders of that strike. The Socialist Union also was involved. I would ask the Government to look into the report published by the Government of Madras just a few months back—on the eve of elections. They said that the Communists alone were responsible for the strike forgetting clean that all the three unions went on strike against the unjust retrenchment of about 11,000 workers in an industry, which engaged 40,000 men. The Hon. Mr. Rajagopalachari was not here at that time. Immediately a Police Force was sent there. That was one of the longest strikes in the history of the trade union movement. It was one of the most bitter strikes involving about 40,000 workers. Even the then Home Minister Dr. P. Subbarayan had to admit on the floor of the Assembly that that was one of the most peaceful strikes ever conducted. What did we meet with? Within about a month arrest warrants were issued against us and against a number of people who were leading the strike and we were clapped in jail. (Interruption by the Hon. Sri C. Subramaniam.) Arrest warrants were there against the Communists. Did we indulge in any violence at that time? Was there a single instance of any violence? Everybody had to admit that it was one of the most peaceful strikes. Nonetheless so many workers were arrested. That happened in 1948. When the workers went on strike against the implementation of a committee's report, which had no legal sanction behind it, and which the trade unions had not considered the Government were good enough to go to the employers and insist that the recommendations in the report must be implemented. That was the stand taken by the Government. Awards after awards gave something to the working class. For example, in Madukkarai in 1946 the Union Secretary was dismissed. The adjudicator found that the Secretary was dismissed as a measure of victimization, and so he must be reinstated with full back pay. We are now in 1952. Even to-day that comrade has not been reinstated. This has been brought to the notice of the Government hundreds of times. Still that award has not been implemented. Take the award in the case of Rajamani Bus Transport. It has been brought to the notice of the Government many times that this award has not been implemented. Take the case of the Raja Mills, Madurai. Though the person was jailed, he somehow escaped and went to Pondicherry. We had not been able to get at him. He is now in Tirumangalam; of course, it is a different matter. What steps did the Government take to see that these awards, which were favourable to the workers, were actually implemented? Is it a case of the Government having no powers whatsoever? It is not the case. As a matter of fact, even the Trade Disputes Act gives powers to recover the sums, due under the awards, from the

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managements as though they were an arrear of land revenue. Why is it that the Government have not taken action against even a single employer? But the moment the workers go on strike, the Government declare that strike illegal, saying that during the pendency of the award—it may be that the award is not implemented—the workers dare not go on strike. The Government will put in jail the workers for three months or six months. This is a very common thing. The basic thing—the running thread—of all this is this, namely, what exactly is the attitude of the Government towards labour? I am not now asking that all our industries must be nationalized. Certainly I say that some industries must be taken over by the Government. We say that the industries which are to-day owned by the British in this country—they have no place whatever in this country now—should be taken over by the Government. We say that our industries should flourish, and our national industries will flourish. Towards that end, we are prepared to do something. Labour certainly cannot be a party to the suppression of its rights. It cannot co-operate then. All that we are asking for to-day is only that the Government should create those conditions wherein we will be able to develop the industries in our country. We must create those conditions which will assure industrial prosperity to us for a long time to come. The question of socialization comes only after a sufficient amount of industrialization in the country. Till then we shall not quarrel. So long as those conditions are not created, let us think of doing something for creating those conditions which will ensure co-operation between labour and employers.

“ Sir, I would like to know the attitude of the Government towards the biggest problem that is facing the entire country, namely, the unemployment problem of the working class. The unemployment problem is not confined to any one area. It is a problem that is facing the entire country. It involves the textile workers, the tannery workers, the daily wage-earners, etc. It affects industry after industry. Have the Government any idea regarding this unemployment problem at all? Have the social insurance measures been implemented? In what industry, have they been implemented? From February onwards, hundreds and thousands of workers did not get work even for three or four days in the week. They were getting hardly work for two days in the week on account of electricity shortage. Did the Government consider it very necessary to give the workers something so that they could live? When the Coimbatore mill workers asked the Government to give them loans of Rs. 100 each so that they could at least carry on for a month, what was the attitude of the Government? Is it that the Government could not find the money for all these workers? As a matter of fact, the Government did find the money to subsidize the Harvey Mills in Madurai to the tune of a crore of rupees in the year 1949 to enable them to purchase American cotton when they found the price of the American cotton to be very high.

“ But when it comes to a question of helping the working class, the Government do not have money. I say the whole policy and

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the entire attitude of the Government must change. They must think of a new policy. They must ensure the right of recognition to trade unions so that there may be collective bargaining. Once the Government ensure collective bargaining, then the Labour Minister and the Labour Department will not have much of work and the labour, the working class and the employers will come together and settle their differences. Therefore, my request to the Government is that they should see to it that collective bargaining is ensured. Unless that is ensured, all talk of co-operation is going to be moonshine."

* THE HON. DR. U. KRISHNA RAO :—" Mr. Speaker, Sir, I must express a feeling of satisfaction and a sort of gratitude for the very, very valuable suggestions which most of the hon. Members have given on this Demand. Member after Member did offer constructive criticisms. They wanted to know the policy of the Government in this matter. Many of them said, 'The Hon. Minister is new to the job and, therefore, perhaps some consideration has to be shown for any shortcomings that might have been attributed to the work of the Labour Department.' I thank them sincerely for their good words.

" But the hon. Gentleman Sri K. P. Gopalan who moved the cut motion, of course, was in quite a different position. I must confess I had a feeling of despair, after hearing his speech. He had no belief in the Labour Department, in the labour leaders, in the Labour Minister, in the Judges and in the Industrial Tribunals. I do not know in what he has belief. Has he belief in himself, or does he believe in the machinery that is said to be the ideal to solve all industrial disputes in the country? I am afraid he has taken a very uncharitable attitude towards not only the department but towards good Government. I am only sorry that I have to disapprove of and disagree with all that he has said."

(The hon. Member Sri K. P. Gopalan rose in his seat.)

" MR. SPEAKER :—" The Hon. Minister is not yielding."

THE HON. DR. U. KRISHNA RAO :—" Unless it is a point of order, I am afraid I cannot yield."

(The hon. Member Sri K. P. Gopalan still did not resume his seat.)

MR. SPEAKER :—" The Hon. Minister is not yielding. The hon. Member can say what he wishes to say only if the Minister yields."

* THE HON. DR. U. KRISHNA RAO :—" Sir, I would like to say what the policy of the Government would be and should be. I am afraid the hon. Gentleman, Sri P. Ramamurthi has taken much of the wind out of my sails. I do not know by what television he understood what I had in my mind. But I shall say that I should always like it to be the policy of any good Government in any part of the world to see that labour and employer sit across the table and that too most amicably and in a friendly spirit and settle their differences. It was only the other day that I saw a film

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'Union Local' which, I think the hon. Member, Sri Anthony Pillai, will bear with me when I say that, he also saw and which Sri Guruswami also saw, and in which we had an indication as to how labour differences were settled in some countries of the world. There was no labour leader, there was no Minister, and there was no Commissioner of Labour. But when a dispute arose, the workers themselves sent a representative for conciliation. It is a very good film which is available in Tamil and in Telugu in the United States Information Service office. There is not anything political in it. It is purely informative and in it we see how differences between employers and workers could be settled without Government help and without any outsider's help. When I was seeing that film, my friend Sri Guruswami said that the only happy man who saw the film was the Hon. Minister. I agree with him in that respect. Here were two parties sitting across the table and fighting over their differences, one asking for the balance sheet and the other showing it to the workers, the workers disbelieving it and, of course, the employer proving by means of the audited accounts that the balance sheet was correct; and then they agreed, item by item and finally came to the conclusion that they would take six out of ten and that they would be happy partners. That was the ideal shown in the film. It cannot, however, happen in this country. The hon. Gentleman, Sri Ramamurthi said that labour had very good men. I endorse it, but I do not agree with him in what he said afterwards. I said and I still maintain that our labour has very good men but it is influenced by three sets of people in this world. First of all, it is influenced by the labour leader who promises the labour too much. He paints a very rosy picture of the future. He puts a target which is very high for anybody to follow. (Interruption.) Well, Sir, the labour leader who sits in front of me may be very reasonable but the underlings in the districts are perhaps not as reasonable as he is. I hear daily reports and stories of strikes launched on flimsy grounds, of stay-in strikes, of assaults on individuals, of bus bodies being ripped open, and of articles being stolen. I receive this information daily from various sources. (An hon. Member: 'We don't believe in them.') You may say you don't believe in the sources. But I tell you the sources are there. The information I have given is what I get. Am I, therefore, wrong in assuming that my poor labour leader is painting too rosy a picture for labour? In addition to that, the hon. Member, Sri Palaniandi was saying this morning that not only the labour leaders but also political parties were at them and the Socialists, the I.N.T.U.C., the Communists and various other groups were at them. I do not know what the poor labourer can do with so many people surrounding him. Labour is not given an opportunity even for a moment to think calmly as to what its real interests are. How then could there be collective bargaining, of employer and employee sitting across the table and settling disputes? Labour is not given even a chance to think which sort of collective bargaining is good for it? I, therefore, feel that labour leaders are one set of people who influence the labourers.

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" Second comes, of course, the capitalist. Now the capitalist is presumed to make huge profits. No doubt they were making huge profits in former days. Sir, I am now in the peculiar position, thanks to the Hon. the Chief Minister, of being both the Minister for Labour and the Minister for Industry. Therefore, I have more opportunities than the labour leaders themselves of meeting capitalists, hearing their stories, and looking into their accounts. I am now more than ever convinced that the profits are not as huge as they were before. On the other hand, their expenses are more, the cost of raw materials is higher, and the taxes are more. Therefore, their profits are not much. They show their accounts to me. (Interruption.) They are afraid of showing their accounts to the labour leaders. But they trust me and show them to me and I am convinced that their profits are not very much now. There is also one other reason for their refusing to show their accounts to the labour leaders. They fear that if they yield at a particular level and say that this shall be the beginning and the end of all disputes, the labour leaders will make that a basis for further agitation and will land them more and more in trouble. Sir, the balance sheets are there. There are good and bad employers. It is a very good suggestion made by my hon. Friend Sri Kuppuswami and supported by the hon. Member Sri Sridharan that balance sheets should be made available to labour. I entirely agree that it is a suggestion which all good employers should take into consideration. But as often happens, nobody believes in that balance sheet. The hon. Gentleman Sri Nagi Reddi said that he did not believe it. (Interruption.) I am not prepared to enter into a discussion with the hon. Gentleman. He does not believe the balance sheets. Therefore, why should he bother about them? In view of the facts I have stated already, I feel that the second set of people are also putting the labourers into trouble.

" Third comes the Government. The poor labourer thinks that the Government can help him out of all the difficulties in the world. But how does he expect the Government to help him out of all the difficulties? The hon. Member, Sri Kanaran was speaking as though I was an autocrat. He said that, whenever a request was made for the facility of a house or for the payment of minimum wages, I should not say that I would consider but I should say 'Yes', as if I had it in my power to say so. I wish Sri Kanaran gives me those powers. But I am afraid he would not give me those powers. If he gives me those powers, surely I would come to his help. I have to work within the framework of the Constitution. Within that framework there are certain laws. There are the laws of conciliation, adjudication, and appeal to the Tribunals. Let us first take up conciliation. It is not always that the workers want conciliation. The hon. Member was right when he said that he did not want conciliation and that the cases should be sent up to the Tribunals. Of course, we have got a number of people saying that under section 10 (2) of the Act, the Government have a right to send every case for adjudication. May I respectfully differ from both the hon. Members, Sri Anthony

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Pillai and the hon. Member who spoke from another side of the House to the effect, that the Government had the right to send every case for adjudication? I say the Government have not got such a right. Under section 10 (2) of the Act, only if both the parties are agreed that there should be adjudication, the Government have the right to send the case for adjudication. Otherwise, I have to go through the process of conciliation. (At this stage, the hon. Member Sri Anthony Pillai rose in his seat but the Hon. Minister did not yield.) This morning the hon. Member spoke about the disputes relating to the Spencer & Co., the 'Swadesamitran' and the 'Indian Express.'

"I believe that Mr. Anthony Pillai raised the question under section 10 (2) of the Industrial Disputes Act and wanted the Government to take action under that Section. I told him that only when the employers and the workers are agreeable, we can act under that Section, but he did not listen to my advice. The matter was taken to the High Court and the High Court said that the Government cannot take action under section 10 (2). That is why the case of the Indian Express Group and Spencer & Co. failed. Unless both parties are agreeable, the only course open to the Government is to follow section 10 (1) and that is what we are doing. I agree that conciliation is a thankless job. I thought that the only department in which there is no question of money and the only department in which the police are not wanted is the Labour department. But, some hon. Members complained that there was money for the Inspectors of Labour and that there was corruption and that police was used to put down labour. I take this opportunity to repudiate such statements. I am surprised at such remarks. If we send police to any place, let me tell my Friends here, it is not for the purpose of strengthening the hands of the capitalists, it is not for the purpose of helping the employers and it is not for the purpose of intimidating labour, but it is for the purpose of ensuring safety, it is for the purpose of maintaining law and order, it is for the purpose of ensuring the smooth working in the place of work. Some of the hon. Members referred to the stationing of police in the Buckingham and Carnatic Mills and other Mills. The Hon. Chief Minister has already made the position clear on the floor of the House that Police was not brought in for helping the capitalists and putting down the labour movement, but was brought in with the intention of protecting property, ensuring safety of lives and maintaining order. In all the cases mentioned by the Members, I can tell them that the moment safety of property and law and order were ensured, the police was withdrawn.

"I shall now pass on to some of the stray criticisms mentioned by some of the hon. Members. The hon. Member, Sri K. P. Gopalan complained that the workers were not given freedom to organise themselves into unions and associations. May I protest most emphatically against such wrong statements? We have been permitting the workers to have as many unions, as many associations and as many organizations as they want. We do

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not object to their having any number of unions. But I may tell my Friends that recognition of such unions is not our job and it is left to the management to recognise such of the unions and associations as they like. According to the present law, it is not part of our job to recognise these unions. Probably, in the legislation that the Central Government are contemplating to bring in, there may be a provision for recognising major unions and organizations. When this provision comes into force, it may be possible for us to recognise an organization formed by the workers. But till then, it is not fair to accuse Government and say that we have not given freedom to workers for organizing Unions. Some hon. Members complained about the enormous delay in the registration of these Unions. Well, that is a matter for consideration and I shall see how registrations can be expedited.

“ Some hon. Members, while referring to the working of the Tribunals made certain serious allegations. They complained about enormous delay in giving awards, about the personnel and about so many other things. I think everybody will agree that it is the primary duty of the Government to appoint a Judge. Having appointed him, will it be fair on our part to tell him, ‘ Well, look here. You must give judgment in this case within such and such a time and in such and such a manner.’? The request of some of the hon. Members comes to that. If we were to accede to such a request made by some hon. Members on the other side, the very purpose for which these Tribunals are constituted will be vitiated. Therefore, I do not agree with the suggestions made by the hon. Member Sri Gopalan in this regard. I cannot ask these Judges who are appointed to these Tribunals to hurry up their judgment in the various cases referred to them. What we can do is this and this only. Once in three months we review the progress and speed with which they decide the cases. On such reviewing, if we are convinced that there was delay, we will tell those Judges, ‘ Well, gentlemen, this is not fair, you are not proceeding with speed. Can’t you please do something to hurry up ’? The Government can go only thus far and no further. It is not fair on our part to meddle with the work of the Judges and tell them what they should do and how they should give the award and all that. It is rather unfortunate that some hon. Members doubted the capacity of the Tribunals. I repudiate such remarks. All of them are seasoned Judges and all of them are men who have spent their lifetime in the Legal Department. If you think that a Judge cannot satisfactorily settle these disputes between the employers and labour, who else in this world can do it?

“ Some hon. Members referred to the need for having industrial courts. At the present moment, I agree that there is no provision for having an Industrial Court. I understand that in the contemplated Labour Relations Bill which the Central Government are going to bring in, there will be provision for constituting an Industrial Court. When such Courts are established the labourers will have the right and privilege to go to those courts.

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“ Certain complaints were made that, when these Tribunals gave their award, the Government did not enforce those awards on the employers, that the employers were only fined and let off and that as a result of this the workers were helpless. Mr. Ramamurthi also referred to this and he was right when he said that the Government had power to collect the arrears from the employers as if they were arrears of land revenue. So, people are prosecuted for non-implementation of the awards. This power was not there in the old Act. We took powers for prosecuting them and getting the arrears from them under the new amendment.

“ Some hon. Members complained about the Works Committee. I have no hesitation in saying that we will do what all we can in this matter. But the thing is most of the labour leaders are quite against the formation of such Committees. The stronger these Committees are, the less influence the labour leaders will have.”

SRI P. RAMAMURTHI :—“ We are for it.”

* THE HON. DR. U. KRISHNA RAO :—“ The hon. Member may be for it. But some of the labour leaders of his side made very disparaging remarks about these committees and they did not want such committees. (Interruption.) My friend says that those remarks were directed against the existing committees. May I tell those hon. Members that the members of the existing committees are elected by the workers themselves and not nominated by the Government or anybody else? If the workers have not elected proper men for these committees, then it is not the fault of the Government. They must blame themselves and cannot blame others.

“ The hon. Gentleman Mr. Anthony Pillai said that the Government were leaving sharks and catching only small fish. This Government are not doing any such thing and his remark is quite unfair. Reference was made to the Ambi's Cafe incident. I must tell this House all the facts about this matter. There is a difference of Rs. 8 between what the adjudicator has recommended and what the management is prepared to offer. The management says that as the workers were given boarding and lodging the establishment should not be asked to pay the full Rs. 26. The labourers were asked whether they would like to have cash or would like to have boarding and lodging. There is difference of opinion among them. I understand that the labour leaders have advised them to ask for cash. That is my information and it is subject to correction. Even among the labour leaders, there seems to be no unanimity of opinion. So that is the position. Now, the hon. Member, Sri Pakkiriswamy Pillai, has raised this point again through his organization and I am trying to see if conciliation could be attempted again. I still believe in conciliation and I hope a time will come in this country when conciliation will be considered to be the only method by which all our troubles can be solved. I am convinced that only by conciliation we can arrive at a permanent settlement with regard to any dispute, be it in a textile mill, a

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factory or any other establishment. I can assure the hon. Members that if in this case, conciliation fails, I will not hesitate to send it to the Tribunal.

" Sir, I think the hon. Gentlemen Sri Ramamurthi and Sri Jeevanandam referred to what they called victimization of some of the workers of Thompson and Company. I shall give the full facts about the story of this Thompson and Company referred to by the hon. Members of the other side. Let the House decide whether there was victimization."

(Sri P. Ramamurthi was seen rising in his seat.)

MR. SPEAKER :—" The Hon. Minister is not yielding."

* THE HON. DR. U. KRISHNA RAO :—" The hon. Member cannot now say that I should not reveal the full facts about that story."

SRI P. RAMAMURTHI :—" I am not saying like that."

* THE HON. DR. U. KRISHNA RAO :—" When two hon. Members Messrs. Jeevanandam and Ramamurthi have referred to the Thompson and Company case and said that there was victimization of workers, I must tell this House what I feel and what I know of this case to prove that there was no victimization at all. The workers of a textile mill declared a strike in this country. In sympathy with that strike, the workers of Thompson & Co., who are Printers declared another strike. What have they to do with textile workers? They had no grievances and so they had no right to declare a strike. Therefore, their strike was an illegal strike. (An hon. Member : ' It is wrong. ') You may say it is wrong. That is my view. Thus, the workers of Thompson & Co., declared a strike in sympathy with the strike declared in a textile mill. This strike by the workers of Thompson and Company was an illegal strike and so there is no question of victimization. That is my point and it is for the House to decide whether it is correct or not.

" The hon. Member, Mr. Palaniyandi, referred to the Manjulai Estate incident and tried to show how cruel our laws are and how they are worked against the interests of the workers. He mentioned an incident in which a husband and wife were working in that Estate. I understand that both the husband and wife were workers in that Estate in Tirunelveli and the husband, for some fault which he committed, was dismissed by the management, and the wife was continuing to work in that Estate. The management now says that if the husband wants to come into the Estate to see his wife, he must get its permission. This is what has taken place. Mr. Palaniyandi dwelt at length on this incident and said there was victimization and so many other things. I have now given the full facts about this incident. I think nobody will be able to see any victimization in this case. It is true that the management has asked the husband to obtain its permission if he wants to enter the Estate. Where is the harm done to the husband? There is no ill-treatment. The labour

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laws have not been applied against him. • I can only say that the hon. Member has attempted to take certain things from their context here and there and show to this House as if something terrible has taken place. That is all what I can say about that incident.

“ Sir, the hon. Member, Mr. Jeevanandam, was making some suggestions with regard to the transport workers. I quite agree with him. Ever since, I took charge of this Department, I have been thinking of doing something for the workers. I have been considering whether I could give something to the drivers and conductors either by way of wages or bonus so that they may feel a little happy. I am also considering if I could effect a change in their dress and give them some more amenities. All these are engaging the attention of the Government. I am not going to give bonus because we have made some profits. Even if the Transport has worked at a loss, I would recommend to my Chief Minister that the workers should be paid some bonus so that they can get a few decent sets of dress at least. We are going to help them not because we have made profits and, therefore, I do not agree with the hon. Member in this respect.

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“ Then, Mr. Jeevanandam narrated the story of making the workers work for fourteen hours. On enquiry, Sir, I find that it is not all correct. There may be some element of truth in portions of it. As I said, many of the stories narrated by the Opposition, if told in pieces, would give the impression that there is terrible ill-treatment of the workers. If taken in the context in which they should be told, they may look quite normal and, therefore, I say that the hon. Member is not completely correct.

“ Again, the hon. Member referred to the case of Messrs. Jeewanlal Aluminium Metal Factory. Sir, in all these matters we have allowed the law to take its proper course. The normal methods of settlement of disputes are being followed. May be, settlement is delayed by a month or two but it cannot be helped. However, I quite sympathise with those who are affected by the long-drawn-out, tedious process of having to appear before the Bombay Tribunal. This is a hardship, I know. I am glad, however, that the Bombay Tribunal is going to be in Madras for ten days shortly when the workers can make arrangements to meet it. The Tribunal is touring all major cities and workers will be saved the expenses of going to Bombay, spending their well-earned money for the journey and for engaging lawyers to brief their case. I appreciate the difficulty to workers in this regard and it will not arise now.

“ Sir, my Friends, Mr. Muni Reddi and Mr. Jagannathan made out a case for agricultural labour and said that they were paid very low wages. We enquired into this question. Our Economic Adviser has surveyed fifteen villages and we have found out pockets of low wages. We are trying how best this state of affairs could be rectified. As hon. Members know, wages differ with different places. In one place, wages are paid in kind and in another, they are paid in cash. We are trying to evolve

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a formula by which what is most favourable to the workers can be paid and will be paid by the landlords. It is only a question of time.

“ Then, Sir, there was reference to plantation workers. Till recently plantation workers were outside the purview of laws on Labour. Last year, legislation was introduced bringing the plantation labour also within the purview of the law. The Plantations Labour Act, 1951, provides for the welfare of labour and other amenities.

“ My Friends, sitting opposite, have passed a chit on to me about the Chirala-Vuyyuru-Nellore Motor workers. Let me tell them that the matter is still pending before the Government. I do not think it is proper to say anything about it on the floor of the House because it is a matter which is in a way *sub judice* and I should not indicate to the House what sort of decision we may take on the matter.

“ Sir, my Friend, Mr. Anthony Pillai was saying that the Labour Department was going to be a test for the new Minister for Labour and would be the graveyard of his reputation. I can only tell him that I have made my reputation in other fields and I have no reputation to make as Labour Minister and, therefore, I have nothing to lose either. I shall try to do my best and my Department will try to do their best to help labour to the best of each one's ability. For my part particularly, I shall not stand on prestige and do all I can for labour and strive for the best relations between labour and the employer. (Ministerialist cheers.)

“ Finally, Sir, I come to the charge levelled against the Department of Labour. The charge was made that the officials of the Labour Department were inefficient and corrupt. It is most unfortunate that such statements should have been made on the floor of the House against people who are unable to defend themselves. May I say, on behalf of the Government, how pleased we are with the work of the Labour Department? The Labour Commissioner is here and I hope he will put his fingers to his ears when I say this. The Labour Commissioner and his good set of assistants have been giving the proper kind of advice and assistance to me and such assistance and help cannot be given unless they have a sympathetic heart, a good heart towards labour. This is very important. The officers must have sympathy for labour. I feel, Sir, that if there is one Department which has been doing much work and giving so much assistance, it is the Labour Department. Therefore, when I ask my Friend to have some consideration and withdraw the cut motion and grant the Demand, I shall not be asking for anything unreasonable.”

SRI K. P. GOPALAN :—“ Sir, when the Hon. the Minister for Labour rose to reply, I thought he would say something good and would do something for the workers. I thought he would

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announce some measures immediately for improving the lot of labour. But he has not stated anything as to what he is going to do for the working class in this State. So, I am not going to withdraw my cut motion."

MR. SPEAKER:—"I am now going to put the cut motion to the vote of the House. The question is—

'That the allotment of Rs. 18,27,100 under Demand XXIV—Labour including Factories, be reduced by Rs. 100.'

The cut motion was lost.

MR. SPEAKER:—"I am now going to put the main motion to the vote of the House. The question is—

'That the Government be granted a sum not exceeding Rs. 18,27,100 under Demand XXIV—Labour including Factories.'

The Demand was carried and the Grant made.

(2) DEMAND XIII—JAILS.

* THE HON. SRI K. P. KUTTIKRISHNAN NAIR:—"Mr. Speaker, Sir, on the recommendation of His Excellency the Governor, I move—

'That the Government be granted a sum not exceeding Rs. 1,23,56,000 under Demand XIII—Jails.'

"It will be noticed, Sir, that the Demand for 1952-53 is more than the Demand for 1951-52, which was for Rs. 117.30 lakhs. It is however less than the Revised Estimate for 1951-52 which came to Rs. 126.88 lakhs. The increase in the estimate is mainly due to the larger expenditure anticipated on account of the dietary charges incurred in jails and to the larger provision made for jail manufactures on account of the increase in the cost of raw materials.

"I may mention at the outset that the policy of the Government with regard to the administration of jails is to reform the convicts so that when they are released from the jails they may become good citizens and lead a peaceful and industrious life without breaking the laws of the land. With this end in view they are given general education and are taught industries like carpentry, tailoring, weaving, etc., which would be useful to them after their release.

"*Accommodation and classification.*—Adult convicts are segregated from adolescents and children, male convicts from female convicts and habituals from casuals. There are separate jails for habituals and for casuals, a special jail for women, two borstal schools for adolescents and certified schools under Government and private managements for children. Prisoners are classified into two classes according to their social standing and mode of life and are allowed privileges appropriate to the class to

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which they belong in the matter of diet, clothing, bedding, newspapers, magazines, letters, interviews, etc. I may mention for the information of the hon. Members, a few of the important amenities given to prisoners in jails.

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Regarding Class I prisoners they are allowed to buy fruits and other supplementary things for their diet. They are allowed to have their own clothing, bedding, toilet and other things. They get better facilities in respect of letters and interviews. They are also allowed to subscribe for newspapers and other periodicals approved by the Government.

Prison labour and industries.—Special attention is paid by Government to promote the interest of the labour population. The main object of prison labour is the reformation of prisoners and hence purposeless and non-productive forms of labour are avoided. Jail labour is divided into three main classes, viz., hard, medium and light, and the prisoners are allowed the appropriate class of labour on the advice of the medical officer. As I have already mentioned, prisoners are taught industries like carpentry, tailoring, weaving, dyeing, etc., which will stand them in good stead for earning their livelihood after their release. As far as possible prisoners are allotted work according to what they have been accustomed to outside the jail. Jail labour is also hired out, for Government works. For instance, prisoners are employed for the excavation of canals in the Tungabhadra Project Works and a separate camp jail is being run for the purpose. If any prisoner wants change of labour it is always open to him to make representation to the Superintendent and to get it changed. Gratuity is allowed as a sort of inducement for extra outturn of work. There is also a modified earning scheme in the Central Jail, Coimbatore, and in the Central Jail, Vellore, under which prisoners working in the textile factory of the Coimbatore Jail and in the tailoring and boot section in the Central Jail, Vellore, are allowed tobacco in the form of cigarettes, beedies or tobacco for chewing, at a cost of one pie per day to be issued at the time of mid-day meal. This scheme has been introduced to act as an incentive to good work.

Medical and sanitary arrangement.—Proper medical and sanitary arrangements are provided in jails. There is a hospital attached to every central jail. Each central jail has a medical officer with assistant surgeons and compounders to assist him. Class II prisoners who are certified to be in real need of a pair of spectacles are supplied with a pair each at Government cost. Dental treatment is also given to prisoners either at their own cost or at Government cost according to the nature of the treatment given and class to which the prisoners belong. Prisoners suffering from pulmonary tuberculosis are sent to the Government Wellesley Sanatorium, Bellary. Prisoners suffering from leprosy are segregated in the leprosy annexes in the Central Jails at Salem and Tiruchirappalli. Mental defectives and criminal lunatics are sent to the Mental Hospital, Madras.

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*“ Educational facilities.—*Educational facilities are provided in jails for such convicted prisoners as are capable of being benefited by them. There is an elementary school in each central jail with qualified teachers and every jail is equipped with a library. There are also reading rooms where daily newspapers and periodicals in different languages are supplied at Government cost and are made available to prisoners. Lights for reading are allowed till 9-30 p.m. in the night to those convicted for simple imprisonment and to such other educated prisoners as are considered by the Superintendent to be fit to receive this concession. Adult education on model lines is being imparted in the schools in several jails such as those in Coimbatore, Vellore, Tiruchirappalli, Rajahmundry, Bellary, etc., by teachers specially trained for the purpose. Steps are under way to introduce the scheme in other jails also. I may mention for the information of the hon. Members that about 80 per cent of the prisoners who go out from jails are literate while only 30 per cent of them are literate at the time of admission into jails.

*“ Religious and moral lectures and religious observances.—*Religious and moral lectures are allowed to all convicts and the lecturers confine their attention to prisoners of their own faith. Facilities for religious observances are also allowed in jails without any undue interference with religious practices and caste prejudices. For instance, prisoners are allowed to wear their religious symbols. They are permitted to perform their devotion in a quiet and orderly manner without undue interference with daily routine and discipline. Water for ablution and mats are provided in the case of Muslim prisoners. Prisoners are allowed to keep their religious fast if in the opinion of the medical officer they are in a fit state of health. They are not required to perform any labour other than such as may be necessary for the conduct of the internal management and domestic economy of the jail, on Sundays, and certain other days of religious importance like Pongal, Ramzan, Deepavali, Bakrid, Good-Friday, Onam, etc.

*“ Jail visitors.—*Besides *ex officio* visitors who are appointed from the Magisterial, Judicial, Medical, Health and Industries departments, members of the public are also appointed as non-official visitors for each jail. The non-official visitors are usually those who are members of the Discharged Prisoners Aid Society and have evinced some interest in the welfare of prisoners. Members of the Legislature are also appointed as special visitors to the jails. It is the duty of every visitor to satisfy himself that the law and rules regulating the management of the prisoners and prisons are duly carried out in jails, to visit all parts of the jails, to see all prisoners, to hear and enquire into any complaint that any prisoner may make to them.

*“ Population in jails —*The daily average population in jails for the year 1951 was 26,188 as against 25,514 of the previous year. This year there has been a fall in the population in jails as compared with last year.

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"Aid on discharge.—Prisoners who are discharged are helped in several ways by the Discharged Prisoners Aid Society which receives an annual grant of Rs. 6,000 from Government for the purpose. After-care officers are also appointed. In 1951, 1,061 prisoners were assisted by the Discharged Prisoners Aid Society and after-care officers were appointed for 567 prisoners.

"I may on this occasion advert to the following amenities which have been recently granted to prisoners:—

(i) Under-trial prisoners are allowed the use of tobacco in subsidiary jails;

(ii) betels and nuts are allowed to condemned prisoners; and

(iii) the Republic Day of every year has been declared a jail holiday.

"Steps are under consideration to start pre-release work in jails. Under this arrangement prisoners who are due for release and who will know about it months in advance of the actual release, will receive some form of indoctrination in regard to their future conduct outside the jail. They will be given good advice as to how they should conduct themselves after release. For this purpose, trained Social and Welfare workers will get into touch with the prisoners a few months before their release and act as a liaison officer between the prisoner, his family, relatives, friends, prospective employer, and after-care officer and thus provide a valuable link between his life immediately before and after his release.

"In the Borstal School, Palayamkottai, the orientation programme is being carried on as an experimental measure. Under this programme a prisoner is made to understand soon after his conviction and sentence that the object of his incarceration is to reform and rehabilitate him as a useful and law-abiding member of the community at large, and that the jail officials are not merely his custodians but are his friends prepared to assist him in this task of rehabilitation. The willing co-operation of the prisoner is thus enlisted immediately after his admission. The prisoner is told of the various facilities offered for his education, medical treatment, vocational training, etc., and how he is provided better food and other kinds of amenities than an average citizen outside with a view to his improvement.

"Borstal schools.—A new Borstal school has been opened at A'iruram, Bellary in addition to the one at Palayamkottai. Elementary education is given in the Borstal schools up to VIII Standard. The chief industries taught in the school are weaving, tailoring, carpentry, blacksmithy, masonry, book-binding, agriculture, hand-made paper-making, etc. They are also taught to play band. The boys are selected for the various industries according to their aptitude.

4-30 p.m. *"Probation of offenders.*—The Madras Probation of Offenders Act is now in force throughout the State. There is a District

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Probation Officer for each district. In certain heavy districts additional District Probation Officers have also been appointed and there are at present 56 Probation Officers.

" In addition to furnishing pre-sentence report to Courts and supervising persons released by the Courts on probation, these Probation Officers do after-care work for children and adolescents released from Certified and Borstal schools and prisoners released under the Advisory Board Scheme. Their services are also utilized in matrimonial and other social matters.

" *Certified schools.*—There are at present 4 Government and 10 private certified schools in the State. The inmates are given general education up to VI Standard in the Senior Certified School and VIII Standard in the Junior Certified School as well as vocational training for use on their release. The educational authorities who inspected the schools were satisfied with the progress made. The industrial sections of schools were also inspected by the authorities concerned and were reported to be satisfactory. Selected inmates are deputed for training in the Agricultural Training Schools, Orathanad, Tanjore district. Some inmates who have special aptitude are also sent to outside schools for higher education. Discharged inmates are allowed to stay in the clubs attached to certain certified schools till they get employment.

" The Commander-in-Chief of India visited the Junior Certified School, Ranipet, and presented a shield in his name for inter-house football tournament. He was immensely satisfied with the hand of that school. Dr. Walter C. Reckless, United Nations Expert on Criminology, visited the Senior Certified School, Chingleput, and was impressed with the work done there.

" Attempts were made to train Headmasters of certified schools in basic education at Wardha but the officers deputed for training had to return on medical grounds before finishing their course. In January 1952, a special officer was appointed to introduce basic education in the Senior Certified School, Chingleput, in the first instance. His report has been received and is under examination.

" *Remand homes.*—There are Juvenile Courts and Remand Homes at Madras, Vellore, Madurai, Tiruchirappalli, Kozhikode, Salem and Coimbatore. These remand homes are run by the private institutions and the Government pay grants in respect of these remand homes. The question of opening remand homes at Vijayavada and Guntur is under consideration.

" *Conclusion.*—In 1950, the Government appointed a Committee consisting of officials and non-officials with a view to consider the question of improvements to be made in the administration of jails in this State and to suggest suitable reforms for this purpose. The Committee has concluded its labours and has submitted its report which contains several important recommendations calculated to improve the conditions of prisoners in jails and to underline the policy of reform and rehabilitation of prisoners. The report is now under print and the Government will consider the various proposals made by the Committee as soon as the report

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is printed. It may not be out of place for me to mention on this occasion that Dr. Reckless, United Nations Expert on Criminology, who visited this State in November 1951, expressed the view that we in this State are already far ahead of the other States in India in the matter of jail administration. I might also take this opportunity to mention that at the Conference of the Inspectors-General of Prisons recently held at Bombay the work done in this State under probation and after-care was greatly commended by the other Inspectors-General and a resolution was also passed to the effect that a system of probation should be introduced in all States and Probation Officers appointed.

"Sir, in reviewing the administration of jails, one must bear in mind that each jail is a small township and the problems that arise there have to be solved by the officers in charge of the jails consistent with the laws of the land. Discipline has to be maintained in the prisons by the officers in charge besides attending to their daily duties. It is indeed a stupendous task. Sir, I will be certainly failing in my duty if I do not thank the persons who are responsible for running this administration. Therefore, Sir, allow me to express my thanks to the Inspector-General of Prisons, the Chief Inspector of Certified Schools and Vigilance Service and their staff and to record the appreciation of the Government, for the way in which they have borne the burden of administering the jails and other institutions in these difficult days. The staff have oftentimes to put up with provocations, indignities and hardships and even to face grave risks to life and it speaks volumes for their sense of devotion to duty and love of the country that they have acquitted themselves so well.

"Sir, I wish to clear a mistaken impression created in the minds of some hon. Members. Sir, you might remember that, two days ago, an adjournment motion was sought to be moved in this House regarding the hunger-strike of some prisoners in the Cannanore Jail. I wish to inform the House that the hunger-strike was given up on the afternoon of 21st July 1952, a few days before the adjournment motion was tabled here. It was also stated that the prisoners resorted to fast in order to get certain amenities in regard to food, etc. But I wish to inform the House that their demand was for the release of some of the prisoners. I may tell the House that some of these prisoners have been convicted and sentenced to long terms of imprisonment for very grave crimes against life and property. I am glad that hon. Members are taking interest in the administration of jails. Sir, it gives me pain to say that it was not a fast, but it was a farce. I would request the hon. Members to extend their co-operation to me so that I could attend to all the demands of the prisoners irrespective of the party to which they owe allegiance. I would like to assure the House that I would try my level best to see that all the disabilities they are suffering from are removed subject to the prevailing rules and maintenance of discipline.

"With these words, Sir, I move the Demand."

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MR. SPEAKER :—“ Motion moved—

‘ That the Government be granted a sum not exceeding Rs. 1,23,56,000 under Demand XIII—Jails.’

“ The hon. Member, Mr. M. Kalyanasundaram, will move the cut motion. He can sit and speak.”

* SRI M. KALYANASUNDARAM :—“ Mr. Speaker, Sir, I move—

‘ That the allotment of Rs. 1,23,56,000 under Demand XIII—Jails, be reduced by Rs. 100.’

Sir, I have been in jail till recently and have an intimate knowledge of the jail administration. When I was hearing the Hon. the Minister for Law, I was wondering whether most of the things he said related to the jails in our State. This Demand is too much.

4-40
p.m.

“ Already this House has sanctioned nearly seven crores of rupees for the Police. Another Demand for Justice will come up shortly for Rs. 1½ crores. In my opinion these three Demands should be taken together for consideration. The Jails, Police and Justice are said to be instruments for maintaining law and order. If this Government demands nearly ten crores of rupees for maintaining law and order, I should think it is really very costly. Why should they require so much for maintaining law and order? What is the order that they want to preserve and continue? I think it is only to dehumanize a vast majority of the population that this Demand is made. While opposing this Demand, let me not be mistaken as though I am in support of crimes being committed. I deprecate, as strongly as every hon. Member on the Ministerialist Benches, every kind of crime. After all, how do these crimes originate? It is because of the existing social organization of our society. People are not really intent on committing crimes. They are driven to do so because of their appalling poverty.

“ Are the Government really interested in reforming the jail administration? Let them first turn their attention to tackle the problem of landless labourers in our country-side and growing unemployment. It is they, who out of poverty become convicts later on. Let their lot be improved first and foremost. That apart, if the Government are anxious to bring about reforms in the jail administration, they will first of all have to make certain radical changes in the existing rules. At present a lot of discrimination exists in regard to scales of pay of those working in Jail department. The jail warders, in whose hands the lives of lakhs of prisoners lie, should be given higher salaries. At present the sort of life they are leading is worse than that of the prisoners themselves. I shall refer to some figures. There are at present 1,800 jail warders. Of them, as many as 635 are temporary men who could be discharged within twenty-four hours' notice. Some of them have put in nearly ten years of service. They should be confirmed so that they may have a sense of security about their jobs and do their work more diligently. Also, the number of

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warders should be increased. Their present strength is not enough to cope with the large increase in the number of prisoners in our State. Also the hours of work for the warders should be strictly limited to eight only. Even though the rules at present limit their work only to eight hours a day, in practice it is not adhered to. The poor warders at present work longer hours with no consequent over-time benefit. At present there is no provision for maintaining sufficient leave reserve. Consequently many of them are not able to take earned leave. Rules relating to leave should be liberalized in the case of warders.

"As regards housing these warders, I want to submit that, at present, they are put to a lot of suffering because the Government have not provided all of them with quarters. They are given a paucy allowance of four rupees. In reality these poor warders have to pay from ten to fifteen rupees even for a small portion. We know now in the City we suffer from lack of accommodation. Here the subordinate officials are paid about ten rupees as house-rent allowance. The house allowance of the warders should be increased or the Government should come forward to build quarters for them. Here, I want to bring to the notice of the House that Superintendents of Jails are paid house allowance equal to the amount they pay as rent. Even though the rent that they pay, may come to hundred rupees a month, the Government pay the whole amount. This sort of discrimination between the high and the subordinate officials should be removed immediately. At present the warders are changed from one centre to the other very frequently. This results in undue hardship for them. They are eligible for free railway pass for a trip home once in three years. I suggest this concession may be liberalized, by granting free passage once a year. With regard to dress for the jail warders, at present they are eligible for two sets every year. In practice, they are supplied with only one. This should be rectified. The scales of pay of the warders also should be raised. At present they are on a par with the State Government employees. At least the Central Pay Commission's scales of pay, which are themselves very meagre, should be given to these jail warders."

MR. SPEAKER:—"The hon. Member has got only one minute more."

* SRI M. KALYANASUNDARAM:—"I shall now say a few words about the political prisoners. It has been repeatedly stated by Government that there is at present no class of prisoners called 'political prisoners'. But the fact is that political motive is taken note of, or even imputed while preparing the charge-sheet, and convicting the prisoners. The status of political prisoners is denied in the matter of treatment in jails. For instance, if some villager attacks a police officer, he will be charged under the Indian Penal Code for the offence of interfering with the duties of Government officials, whereas, if a person like me, even uses a violent word against a police officer, he is charged under section 121-A for attempting to overawe the Government by show of criminal force. Again if I talk of Vadapathimangalam and Kunniyur—owning

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thousands of acres of land, I am accused under section 153-A of the Indian Penal Code on a charge of trying to infuse class hatred among the different sections of our community. Thus there is a political motive behind the action of the Police over what the Communists say. My submission is that in the matter of treatment inside jail political status must be recognized and political prisoners treated as such."

Mr. SPEAKER:—"I have allotted two hours for this Demand. The Hon. Minister will reply to the debate at about 7 p.m. to-day."

* DR. T. S. SOUNDARAM RAMACHANDRAN :—"Mr. Speaker, Sir, I wish to say at the very beginning that even though jails have got to be administered, we should try to find out the causes why people—they do not after all want to go to jail—are made to go to jails. They are made to go to jails because of the various social customs, economic injustice and other adverse factors that are prevailing. Therefore, I would like to say something about this aspect of it and also dwell on the object of running certified schools, vigilance homes and similar institutions which are more or less preventive measures so far as the object of weaning away the people from going to jail is concerned.

4-50
p.m.

(At this stage the Deputy Speaker occupied the Chair.)

"So far as certified schools are concerned, I may point out that it is recognised all over the world that children showing delinquency do not always have a criminal mind; of course they may develop into criminals; but if they are looked after properly and given proper education, some of their anti-social habits will certainly disappear and they will become not only normal citizens but respectable citizens. Let us first find out why some of the children show delinquent tendencies. Some of us have intimate association with such institutions as I have mentioned, as well as with such children. Whether it is the case of a child or a grown-up person, the beginning or the root cause is the home environment. If we make enquiries into the case of each child in the Children's Certified School, it is always found to be unhappy, insecure childhood—which has created the special tendencies in the children's minds, which is responsible for making them become vagrants first, then becoming delinquent because of hunger and because of the feeling that they must live somehow and then developing habits of living in an easy way, trying to avoid any kind of work and finding out methods thereafter of earning money in any manner—which all ends in making them finally regular habitual criminals. As I said, this aspect is recognized all over the world. It is, therefore, our duty to see that the already delinquent children who are the products of unhappy home conditions, do not develop into criminals; it is our duty to educate such delinquent children, give them an opportunity to lead better lives and thereby decrease the number of habitual criminals in the land. Of course there are pathological cases where we cannot do much; I am only thinking of border-line cases. There are other types of children also who are quite normal,

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but whose insecurity in childhood—either because they had no father or mother or because the parents were very poor—has led them to beg and wander about, and because of bad association, to become delinquent children. There are provisions which allow admission of these normal children also to the certified schools. There are philanthropic institutions running children's homes and orphanages. They are no doubt very good, but these by themselves do not go a long way to solve the problem. Therefore, my first suggestion is that these normal children who are certified as destitutes should never be sent to either junior or senior certified schools, because the association there is bad for them. I know that even now the Government agree with this view, although in practice it is not acted upon. It is, therefore, necessary that the Government should separate normal destitute children from other children showing delinquency, in the certified schools. Another thing. Government have also recognized the fact that these children will be better off if they are made to mix with normal children with happy home surroundings and happy school surroundings, and that is why they have recognized private institutions for this purpose. I suggest that it will be cheaper for the Government and good for the children themselves if there are more such institutions. If other private institutions also come forward to take charge of these normal destitute children, they should be encouraged. For that matter, I may state that there are orphanages which have a handicap, when we compare their conditions with those of certified schools run by private agencies. The grant given to orphanages is really meagre. If the grant is liberalized, I am sure not only destitute children but many poor children will be cared for in these philanthropic institutions, which will go a long way in giving these children the security which they need so much.

“ When we think of delinquent children, we must admit it is very necessary to have a trained staff to be in charge of them, so that these children may be dealt with psychologically and persuaded to lead a normal life. I know there is a scheme in the proposed Jail reforms, and I hope that the Government—after all we are concerned with our children—and all of us would do our best, so that in future these habitual criminals and the criminal class, as such, will not be on the increase.

“ It is said very often that the mentally backward children develop delinquent tendencies. I do not think we hear anywhere of any arrangements existing for looking after the mentally backward children. I am told that in the Chingleput school there is a section; but I think even outside the certified school boundary, there should be a school for these children, so that the normal, mentally backward children could be seen by their parents now and again.

“ In the matter of running these certified schools for children, for delinquents and mentally backward children, I do not know whether we cannot ask the municipalities and the local boards to take charge of such institutions. We hear that some municipalities are starting beggar homes. Let us start with children to begin

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with . . . (At this stage the Deputy Speaker sounded the gong.) I request a few more minutes, Mr. Deputy Speaker. I want to say a lot about vigilance work.

“ All hon. Members will agree with me when I say that whether it is a quarrel, a communal clash or the application of police measures, it is the woman who is the first casualty. I know the present conditions; I know what is happening in the villages; I know Police cases; I know where they all end—they end in molesting women. Where are we? The society deals with women in such a way, and yet nobody worries. If women are dragged to the courts, how can we defend ourselves? Once somebody says something about a woman's character, nothing can rectify that. Therefore, a woman rather dies than tell others what has happened to her. In this way, vigilance work has become a vital problem, I would even say a point of national honour for our country. When the Vigilance Act was passed and the Vigilance Home was started in Madras City, we went through the history of hundreds and hundreds of girls who came to our Stri Sadhana and found that 98 per cent of the cases were due to destitution, poverty, or husbands or parents or interested relatives trading on these innocent girls—mostly minor girls. Therefore, it is recognized that vigilance work is very good, and that it is also imperative that there should be such vigilance work. But I submit it has not gone far enough to assure women that it will enable them to lead lives in the proper way. The woman has to be educated; she has to be taught how she can lead a life of economic independence and how to maintain herself respectably. Some of these municipalities have started shelters 5 p.m. but they are not enough. Why do we go to recover these girls from the brothels and put them in the shelter? Why should we not look after the destitute women wandering about and who have been deserted by their husbands or parents? Very often there is no mother to care for them. Why don't we look after and give them a proper place so that we may not drive them to lead a life of prostitution? That is why Service Homes have been started by the Government and some of us are trying to do preventive work so that these innocent women do not become a prey to men and such people who are interested in trading on them. Therefore, I would suggest that Shelter Homes for the rescued women be opened in every municipality. Once we went to Coimbatore. There, sometimes women recovered from brothels were not taken to shelter but were taken to the jail. Do we treat men in that fashion? Why should our women be penalized for a crime for which men are equally responsible? Taking them to jail for such offence must go. There must be a Remand Home everywhere. There must be a Reception Home in the Madras City at least so that any helpless woman who wants protection should be able to go and stay there until her case is investigated. Either she should be restored to her guardian or she should be put in a safe place where she will have facilities of educating herself and standing on her own legs. Sir, in a law court, the accused is always held not guilty till his guilt is proved. Whereas when you recover a girl or a girl comes to you under difficult conditions, she is sent to a Remand Home. She

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should not be branded as an immoral woman. She should be taken to a Women's Service Home or—what we call—a Reception Home. There should be Reception Homes to receive any woman stranded anywhere. That must be our ideal. Let us make a beginning in the Madras City so that we can prevent our unfortunate sisters from drifting to brothels.

"Sir, there are very many religious institutions—mutts, temples, etc. These institutions have pots and pots of money and a major portion of that money could be requisitioned for educating the children of our State. They must be given security and then only we can decrease the expenditure under the item 'Jails,' at the same time, we can really do good to the community.

"Now I come to the Jail Reforms Committee. We have talked about many things and suggested some reforms. Some of the reforms could be implemented without waiting.

"One word more. Most of the prisoners in the jails, who are sentenced to less than three months, come from rural areas. They are not given any work, as far as I know. I may be wrong and I am subject to correction. It is natural that most of them come from rural areas as 80 per cent of our people live in rural areas. There is no use teaching them certain work which will not help them to earn their livelihood when they go back to their homes. Agricultural colonies should be started at least in one or two places where these people could be settled."

DEPUTY SPEAKER :—"The hon. Member's time is up. Now, Mr. Ramakrishna Reddi will speak."

* SRI B. RAMAKRISHNA REDDI :—"అధ్యక్షా, ఈ Jail Demand పై ప్రవేశపెట్టబడిన out motion ను 'బలపరచు' జైల్ల గురించి కొన్ని విషయములు తెలియజేస్తున్నాను. నేను Press Act కింద ఒకప్పుడు, ఒక నెల రోజులు జైలులో ఉండినాను. తరువాత స్వరాజ్యము వచ్చే ముందు ఆనగా 1942 వ సంవత్సరములో గూడా జైలులో ఉండినాను. ఈ రెండు పర్యాయములలో గూడా జైల్లో పరిస్థితులు విమీ మారకుండా ఒకేమాదిరి ఉండినవి. కాని, స్వరాజ్యము వచ్చిన తరువాత, మన పరిపాలనలో వైనా ఈ జైల్లో పరిస్థితులు మారు తామోమనని ఆనుకుంటే ఇప్పటికి పరిస్థితులు యథాప్రకారంగానే ఉన్నాయి. నాటికిని నేటికి పరిస్థితులలో విమీ భేదము కన్పించడంలేదు. స్వరాజ్యము వచ్చిన తరువాత, మన పరిపాలనలో జైల్లో ఖయీదీలకు ఈ దుర్భర పరిస్థితులు తొలగిపోగలవని మేముంటా అభిప్రాయపడ్డాము. కాని ఇప్పటికికూడ పరిస్థితులు విమీ మారకుండా ఉండడం చాలా శోచనీయంగా ఉన్నది. మేము 1940 వ సంవత్సరములోను, 1942 వ సంవత్సరములోను జైల్లకు పోయినప్పుడు జైల్లో ఉన్నటువంటి దురవస్థ లన్నీ అనుభవించాము. అయితే ఈ దుస్థర పరిస్థితులు మన పరిపాలనలో తప్పకుండా పోగలవని ఎంతో ఆశించాము. కాని ఈనాడు పరిస్థితులు యథా ప్రకారంగానే ఉన్నాయంటే చాలా విచారించవలసియున్నది. జైల్లో ఖైదీలయొక్క బ్రతుకు పరిధంగా ఉండో తెప్పవలసినట్లు ఒక మాటలో అందంతా ఒక వరకభూషములాగా ఉండని తెప్పకుండు విమీ సందేహములేదు. అక్కడ ఖైదీలకు ఇస్తూ యుండినటు వంటి ఆహారము చూచినట్లయితే, ఉదయముపూట ఒక గంజి మాత్రము ఇస్తున్నారు.

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తరువాత భోజనములో ఒక పులును తప్ప మరేమీ కన్పించదు. ఈ భోజనమంతా ఒకటిన్నర గాకు మించియుండదు. సాధారణంగా మనము భోజనానికి ఒక రూపాయ, రెండు రూపాయల వరకు ఖర్చు చేస్తూయుండగా, అక్కడ ఫైదీలకు ఒకటిన్నర గా తిండివేస్తున్నారంటే అతిండి ఎటువంటిదో, విప్రకారంగా ఉంటుందో అలాచింతతో వచ్చు. నేను జైల్లో ఇచ్చునట్టివంటి తిండి వివిధంగా ఉంటుందో ప్రత్యక్షంగా చూచినాను. దానిలో పురుగులు, మట్టిఉండలు మొదలైనవి గూడా ఉంటాయి. వాళ్ళకు ఇచ్చేటటువంటి ఆహారము ఆ విధంగా చాలా అసహ్యంగా ఉంటుంది. ఫైదీలు ప్రాణాలు కాపాడుకొనేందుకు విధిగా ఆ తిండిని తీసుకోవలసి యుంటుంది. ఇంక, వాళ్ళకు వాడేటటువంటి బియ్యము చూస్తే చాలా హీనరకంగా ఉంటుంది. జైల్ల కంట్రాక్టర్లు, అధికారులు కలిసి, ఈ ఆహార విషయంలో డబ్బు చాలా మిగిల్చు కొంటు ఫైదీలకు ఇటువంటి హీనంగా ఉండేటటువంటి తిండిని ఇస్తుంటారు. ఇవి పరిస్థితులు. ఇటువంటి తిండి తింటూ ఫైదీలు వివిధంగా బ్రతుకగలరో అలాచింత వలసి యుంటుంది. తానైన సభ్యులని చెప్పకొంటున్న మనము మాత్రము ఇక్కడ రోజుకు రూ 12-8-0 లు తినికొంటూ జైల్లో ఫైదీలకు రూ 0-1-6 తిండి పెట్టించుట మనకు ధర్మమేనా, మనము ఇది సహించదగినదేనా అని అందరు అలా చించుకోవలసి యున్నది. స్వరాజ్యము వచ్చిన తరువాత జైల్లోని పరిస్థితులు రాగు పరుస్తాయి, అదిచేస్తాము, ఇదిచేస్తాము అని ప్రజలకు ఎంతో ఆశపెట్టి, ఇప్పుడు స్వరాజ్యము వచ్చినాకూడా మన పరిపాలనలోని పరిస్థితులు ఏమీ మారువడకుండా, యథాప్రకారంగానే ఉన్నాయంటే, స్వరాజ్యము వచ్చి కూడా లాభమేమీ నాకు అర్థం కావడములేదు. మనమంతా ఇంతకుముందు జైల్లోఉండి, అక్కడ ఉన్నటువంటి దుర్భర పరిస్థితులన్నీ ప్రత్యక్షంగా చూసి అనుభవించినటువంటి వాళ్ళము అయిఉండి కూడా ఈనాడు మన పరిపాలనలోనైనా ఆ పరిస్థితులను రాగుపరచకుండుట చాలా విచార కరము.

“తరువాత, ఉరిశిక్ష విధించే విషయంలోకూడా ఈ ఉరిశిక్షను కుదురు లిసివేస్తా మని చెప్పి, ఇప్పుడు స్వరాజ్యము వచ్చిన తరువాత కూడా దీనిని లిసివేయకుండా ఉన్నారు. ఈ ఉరిశిక్ష అనేటటువంటిది నిజంగా ఎవరికీ విధించదగినటువంటిదిగాదు. ఇది మహాత్మా జీ సిద్ధాంతానికి కూడా విరుద్ధమైనటువంటిది. నిజంగా కొన్ని కొన్ని murder కేసులలో ఈ murders ఉద్దేశ ఫలితంగా జరుగుతూ ఉంటాయిగాని, అది పనిగా murder చేయాలననే దురుద్దేశంతోగాని, దుర్బుద్ధితోగాని జరగడంలేదు. అటువంటిప్పుడు, వీరికి ఉరిశిక్ష విధించడమంటే న్యాయంగాదు. కనుక ఈ ఉరిశిక్షను మాత్రము ఖచ్చితంగా అలగించవలెనని కోరుచున్నాను.

“మరొక విషయ మేమిటంటే, జైల్లో ఫైదీలను వార్డర్లు కత్తి చిన్నదానికి కొడుతూ నానాచాథలు పెడుతూయుంటారు. కూర్చోవుంటే కూర్చోక పోయిన, ఇది ఒక పెద్ద తప్పుగా ఒక పెద్ద నేరంగా తీసుకొని పదిమందివార్డర్లు కలిసి వాళ్ళను కొట్టి వాళ్ళను 3 రోజులు ఒక నరకభూమిలో పెట్టి వానిని పొసేస్తూ యుంటారు. నేను ప్రత్యక్షంగా ఈ పాపాభాండను జైలులో చూశాను. ఒక ఫైదీని కూర్చోమంటే, కూర్చోకుండా నిలబడినందుకు, అతనిని ఆ ప్రకారంగా కొట్టి, 3 రోజులు నరకభూమి మనటువంటి పుడేశంలో పడవేశారు.

“అది అట్లుండగా, ఖయదీలను 2, 3 ఏళ్లు మొదలుకొని 10 ఏళ్ల వరకు కూడ జైల్లో అట్లనే పడవేసియుంచుతారు. మధ్యగ విలాటి విశ్రాంతి లేకుండా సంవత్సర

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p.m.

ముల తరబడి వారిని ఆట్లనే జైల్లో ఉంచడం చాలా క్రూరమైనది. వారిని మధ్యన ఎప్పుడైనా ఒక నెల రోజులైనా parole మీద బయటికి విడవడంలేదు. ఖయీదీలకు ఈ విధంగా సంవత్సరముల తరబడి జైల్లో ఉంచినట్లయితే, వాళ్లకు ఎంత కష్టంగా ఉంటుందో ఆలోచించుకోవలసి యుంటుంది. కనుక వారిని మధ్యన ఒక నెల రోజులైనా parole మీద విడిచి పెట్టుట ధర్మంగా ఉంటుంది. గనుక ఆ విధంగా ప్రభుత్వము ఏర్పాటు చేయవలసిన కోరుచున్నాను. ఆసలు జైల్లో వారికి మామూలు ఒక్కొక్క రోజు గడవడమే మహాకష్టంగా యుంటుంది. సాయంత్రం 5 గంటలైనా వారిని cells లోకి వేస్తున్నారు. ఆ cells లో ఏ మాత్రము ventilation లేకుండా మహాకష్టంగా యుంటుంది. తెల్లవారి 8 గంటల వరకు వారు ఆవిధంగా cells లో పడి ఉంచబడియుంటుంది. రాత్రిపూట పండుకోడానికి కూడా చాలాకష్టంగా ఉంటుంది; నిద్రపట్టదు. ఆ ప్రకారంగా రాతంతా, కాలక్షేపము చేయవలసి యుంటుంది. ఇంక మే నెలలో ఆయితే వర్షాలు లేక నిడు చేసివి కాలముగా ఈ cells లో ఉండడం మహాకష్టంగా యుంటుంది. ఏ మాత్రం ఊపిరిఆడదు. పరిస్థితులంతా తల్లికొండులుగా ఉంటాయి. తరువాత అధికారిమునాడేలే వార్డుల్లు త్వరగా ఇంటికి రోవలెనవిజెప్స్ ఖయీదీలను మధ్యాహ్నము మూడుగంటలకే cells లో నడవేస్తారు. ఖయీదీలు ఆ ప్రకారంగా మధ్యాహ్నము మూడు గంటల నుంచి మరుసటి దినము ఉదయం 8 గంటలవరకు cells లో నరకమనుభవించవలసియుంటుంది. ఆ cells లో తూస్తానుంటే కిటికీలుగూడ పుండవు. మూడేమూడు అంగుళాలు వెడల్పు గల holes ఉంటాయి. ఖయీదీలకు ఈ విధంగా ventilation గాని గాలి గాని లేకుండా, పండుకోవడానికి చాలా కష్టంగా యుంటుంది. కనుక ఇటువంటి పద్ధతులన్నీ ప్రభుత్వము తప్పుకుండా తొలగించుటకు ప్రయత్నించవలసిన కోరుచున్నాను. తరువాత ఖయీదీలకు రైచ్చే గుడ్డలు చూచినట్లయితే, వారికి ఒకే ఒక జత గుడ్డలిస్తున్నారు; 3 మాసాలు 6 మాసాలు ఖయీదీలకు గూడ ఒకే ఒక జత గుడ్డలు ఇస్తున్నారు. దానినే దినమునకు వారు ఉతుకుకొంటూ కట్టుకొనవలసివస్తున్నది. కనీసము రెండు జతలైన గుడ్డలిస్తే ఒక విధంగా కొంత ఆనాహులంగా ఉంటుంది. ఆ మాత్రమైన ఇవ్వడంలేదు. తరువాత పండుకోడానికి ఒకే ఒక తొలు ఇస్తున్నారు. ఈ విధంగా ఆన్ని విషయాలలోను వారు చాలా క్రూరంగా నిర్దయగా చూడబడుచున్నారు. మన జరిపాలలో గూడ ఈ విధంగా ప్రజలను బాధించడము ఏ మాత్రము ధర్మంగాదు. కనుక ఇటువంటి పద్ధతులన్నీ తొలగించుటకు ప్రయత్నించవలసిన కోరుచున్నాను.

“తరువాత, ఇంకొక విషయము మనవి చేస్తున్నాను. ఈ ఖయీదీలతో పగులంతా పనికిరాని పనులు చేయించే దానికంటే వారికి కొంత ఉపయోగకరమైనటువంటి తర్ఫీదును విద్యను ఇచ్చేటట్లు చేస్తే చాలా బాగుంటుంది. వారికి ప్రతిదినము classes ఏర్పాటుచేసి నీలి పాఠములు నేర్పి, వారు చేసినటువంటి నేరాలకు మూలకారణము ఏమో గ్రహించి, ఆ మూలకారణాన్ని నిర్మూలించుటకు ప్రయత్నించి ఆ ఉద్దేశంతో వారికి నీతిని, ధర్మాన్ని బోధించి వారిలో ఆ విధంగా మార్పును తీసుకొని రావచ్చును. అంతేకాకుండా వారికి carpentary మొదలైనటువంటి వృత్తులను గూడా నేర్పి వారు బయటకుపోయిన తరువాత రోజుకు 2, 3 రూపాయలు సంపాదించుకొనే శక్తిని కలుగజేసివస్తయితే, వారు మరల ఇలాంటి నేరాలు చేయకుండా న్యాయంగా స్వతంత్రంగా జీవనాధారం సంపాదించుకునేందుకు వీలుంటుంది. కనుక వారితో అనవసరమైన పనులుచేయిస్తూ అనేక నిర్బంధాలలో వారిని పెట్టేదాని కంటే వారి భవిష్యత్తును ఉపయోగకరమైనటువంటియు, ప్రజలకు, దేశానికి ప్రయోజనకరమైనటువంటియు అయిన విద్యలను జ్ఞానములను, వృత్తిలను వారికి

26th July 1952] [Sri B. Ramakrishna Reddi]

తర్ఫీదుపై ఎంతో చాతుర్యం ఉంది, గనుక ప్రభుత్వము ఇటువంటి వివాదాలు చేయుటకు ప్రయత్నించవలెనని మనవిచేస్తూ నా ఉపన్యాసాన్ని ముగిస్తున్నాను.

* SRI P. SELVARAJ :—“ Mr. Deputy Speaker, Sir, while supporting the motion of the Hon. Minister and thereby approving of the Demand, I deem it my duty to place before the Government certain proposals of improvement to be carried out with respect to jails. Sir, the administration of jails is mainly one of administering the sentence inflicted on the prisoners. In that connexion, it is the duty of the Government to consider what the punishment should be. Now, Sir, with regard to the punishment to be meted out to the prisoners, there are two schools of thought. One school of thought says that prisoners suffer from certain malady and it is due to this psychological defect that they commit crimes and so they should be kindly treated and they should not be made to feel that they are prisoners undergoing imprisonment for the crime they have committed. The second school of thought says that the punishment should be deterrent and, at the same time, preventive in character. For, they say it is human tendency to err, and if a prisoner is allowed to enjoy all the privileges, he is likely to perpetrate that crime again and thus likely to become a second offender. So they say the punishment should be deterrent. Now, Sir, Government must strike a *via media* and find out a solution in the matter of inflicting the punishment. Of course, both theories for the moment look all right. But according to the conditions prevailing in India, I have to suggest that the Government should naturally treat a prisoner as a person suffering from a psychological disorder and give him light punishment; at the same time they should give him, in jail, some comfort and freedom. Sir, jail is an institution wherein Government need not bother about admission or expansion.

“ With regard to the punishment of prisoners, I have to suggest a few reforms. There are several able-bodied prisoners undergoing long terms of imprisonment in many jails. If they are recruited for digging wells, they will be doing a very useful service to the nation. If in the famine-stricken districts of Tirunelveli, Ramanathapuram and Rayalaseema, where there is acute water scarcity and where we indented on the service of the military personnel to dig wells for drinking water and for irrigation, these able-bodied prisoners are recruited and formed into a Well Digging Corps—to give it a grand name—and their services are utilized—we may also give them a decent dress—we will be providing them a good hobby in nation-building services. So I request the Government to make suitable amendments to the law and recruit these people. If this is done they would be, it is needless to say, contributing to food production. History is not without parallel in this. If we go back to the Babylonian and the ancient Roman Empires we find that slave labour was recruited for such works and they contributed their mite to constructing mighty channels and irrigation works. On this point, I would like to say that the Pyramids of Egypt are a standing monument of such labour. It is their labour that has contributed to the glory of the Egyptian Empire.

[Sri P. Selvaraj]

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"Another point, which I want to stress in this connexion is that the Discharged Prisoners Aid Society are doing very efficient work within their limited financial resources. That Association annually sends out discharged prisoners with a little finance and some implements to enable them to eke out an honest livelihood. As I said, their funds are limited, and I request Government to give more grants to that society so that they may place sufficient funds in the hands of discharged prisoners to settle down in life in some business. These prisoners should not be made to realize they are prisoners and the society should not be slow to recognize them as human beings, and that they have gone astray on account of some wrong desire. If this is done, much of the crime that is being perpetrated in our country would get decreased. With these words, I close my speech."

*SRI G. SATYANARAYANA :—“ఉపాధ్యక్షా, ఈ దినము సభవారి ఎదురున్న యీ డిమాండును వ్యతిరేకించుచూ, కట్ హాజరును బలపరచుచున్నాను. ఈ రోజున బిస్మి ముఖ్యంగా నేను చూచినటువంటి విషయాలను ప్రభుత్వం దృష్టికి తీసుకొని రావాలనే ఉద్దేశ్యముతో నేను ప్రారంభిస్తున్నాను.

“స్వరాజ్యము రాకమునుపు స్వరాజ్యం కోసం పోట్లాడగా, ఆ ఆంగ్ల ప్రభుత్వము నకు వ్యతిరేకముగా జైలుబాదుతున్నామనే కారణంగా మనల్ని జైలులో పెట్టారు. వరాయి ప్రభుత్వం క్రింద అయిదు సంవత్సరాలు జైలు జీవితం గుచిచూచాము. ఆ తర్వాత స్వరాజ్యం వచ్చిన తర్వాత కొత్త ప్రభుత్వంలో, నాలుగు సంవత్సరాలు జైలు జీవితంలో బాధబడుతూ ఆనందించాము. అయితే స్వరాజ్యం వచ్చిన తర్వాత స్వరాజ్యం రాకమునుపు జైలులోవుండే మార్పులేమైనా ఉన్నవా అంటే, ఎట్టి మార్పులు లేక యధావధంగానే వున్నది. అవి రానురాను విచారిత కస్టిమెంట్స్ కి వచ్చినవి. అక్కడ ఉన్నటువంటి ఖైదీలను మానవమాతులుగా చూడక, చాలా హింసగా చూస్తున్నారన్న విషయాన్ని ప్రభుత్వంవారికి తెలియజేస్తే, వారు గమనించుకొని అది మున్నాను. చాలామంది కిక్కులుపడేవారు, అందులో గేలుదగ్గరకుపోయిన తర్వాత, వాళ్లను లోపలికితీసుకొని పోవటానికి, ప్రారంభించిన తర్వాత, ఆసలు మానవులని తలచినట్లు చేయరు. వాళ్లను బాచీలు, బాచీలుగా గేలులోపలికి తీసుకొనివెళ్లి, అక్కడనే గేలుకు దగ్గరగాయున్న యిసుకకములవద్దనే వీరి నందరినీ ఒక ప్రదర్శనం క్రింద చూపిస్తున్నారనిస్తే, ఒకటో యీ విధానము అంతయు నేను యీసభవారికి చెప్పితే శాసన సభా సాంప్రదాయం ఆత్రును అంటూరో, కాదని అంటూరో నేను చెప్పలేను. అక్కడ వారిందరినీ, బట్టలు పూర్తిగా విప్పదీయించి దిశ ములలతో అక్కడనే వరసగా నిలబెడతారు. తర్వాత ఆ దిశ ములలతోనే లోపలికి తీసుకొని వెళ్తారు. రూపు ప్రకారం చాలా రోట్ల జైల్లో ఒక్కొక్కరికి రెండేసి జతల బట్టలు యిస్తారు గాని వీరికి మాత్రం ఇచ్చించి ఒక చారెడు గుడ్డ. చారెడు అంటే, అందులో ఒక గోచి గుడ్డ తక్కినది ములదుట్టుటకు యిస్తారు. ఇదిగూడా 15 దినములవరకు యిదేగడ్డ కట్టకరెను. ఇటువంటి చిన్న గుడ్డతో పైకి విసిలేకుండా ఎట్టి బాధపడగా ఆలోచించండి. బట్టకొరగలి ఈ విధంగా నుండగా తిండికూడా తీసేకట్టుగా ఉంటున్నది. ఇదేనా ప్రభుత్వం ఖైదీలపట్ల చూపవలసిన ఆదరణ? ఫలానవుకు ఇవ్వటం సుదాసు నుంకో మరోచోటనుండో వి.జి. గానీ, మరెవరికైనా వస్తున్నారని తెలిస్తే అప్పుడు మాత్రం కొత్త బట్టలు యిస్తారు. ఆ వచ్చిన అధికారులు వెళ్లిపోయిన వెంటనే మంచి బట్టలు తీసుకుంటారు. ఇట్టి హాస్థిత్వాలలో యీ ఖైదీల ఎటువంటి

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చాధలు గురిఅవుతున్నారో ఎవరు గుర్తించుచున్నారు? ఇదేవిధంగా జైల్లో వడివణు వంటివాళ్ళను పెట్టుతున్నారంటే విషయం కొంచెము చెప్పడలచాను. వారెవరు పెట్టే అంటే అది పెద్దవిగా పెరిగిన పురుగులు లుకలుకలాడుతూ ఉంటున్నవి. వాటిని గమనించక, ఆ పురుగుల అంటేనే పెట్టుచున్నారు. అట్టి అంటి అంటుకు వున్నవిలా ఒప్పుతుంటే గమనించగోరుతాను. చెప్పకంటే అలకించేవారు లేనందున అలాంటి అంటున్నారు. మరో ప్రజాపృథుత్వం గూడా యిటువంటి పురుగులు లుకలుకలాడుతున్న అంటి పెట్టరు. యిదేనా కాంగ్రెసు ప్రభుత్వము ఫైదీలకు చూపే అదరం. తర్వాత జైలు శిక్ష పరిమితి తీరేలా చేసే ఈ జైలులో భండగానే ఫైదీలకు విజ్ఞాపము బోధ చేయు సౌకర్యాలు కలుగలేయాలని ప్రభుత్వ ము భావోద్దేశమని వైకే చెప్తున్నారు. ఈ జైల్లు విజ్ఞాన కేంద్రాలని చెప్పుతున్నారని, విజ్ఞాపమునకు సావకాశము లేదు. ప్రభుత్వం యీ ఫైదీలు యింటికి తిరిగి వెళ్ళేలా వున్న వారిని సక్రియ వర్తకులుగా నియమించేయాలి. వృత్తులు నేర్పాలి. అట్టి పని ఏమీ చేయబడదు. ఇవి విజ్ఞాన కేంద్రాలకు బదులు సరిక కూడా అని చెప్పవలసి పుంబుందనటకు సందేహము లేదు. ఈ సరిక కూడాలు అని నేలం జైలుకే పేర్ పెట్టవచ్చు. అక్కడ జరిగే విషయాలు కొన్ని తెలుసుకోవాలి. నేం జైలులో వెనక ఒక incident జరిగింది. దానిని గురించి నేను ఎత్తుకోను. అన్నీ పాతగాని రాజాజీ అంటాడు. పానీ శ్రీ రాజాజీ ప్రభుత్వం వచ్చిన తర్వాత నేనా, యీ కొత్త జైలు శాఖా మంత్రి వచ్చిన తర్వాత నేనా అక్కడ జైలు పరిస్థితి చూడగా, అంటే, మారలేదనే చెప్పవలసియున్నది. అక్కడున్న జైలు Superintendent ఫైదీలను మనస్థిరతలో చూట్టాడుంటే చూట్టాడు. చూట్టాడు తోటి చూట్టాడు. ఆ ఫైదీలను మనస్థిరంగా ఎంచక కేవలము కళులలో సమానంగా చూస్తాడు. పెద్ద పెద్ద బంధువులు తట్టతాడు. ఆ జైలులో వున్న ఆసరాళి, ఆ జైలు చరిత్ర యింతంత అని చెప్పవలెదు. ఆ జైలులోని పరిస్థితులు స్వయముగా వెల్లె చూస్తేనే బోధపడగలవు. ఫైదీలు విడుదల అయ్యేప్పుడు వాళ్ళను అనేక అమానుష చర్యలు చేసి వంపుతారు. అవి నేను యిక్కడ వివరించటం కూడా మనస్సు రాకుండు. అయినా ఒక విషయాన్ని నేను చెప్పడలచాను. ఫైదీలను విడుదల చేసేప్పుడు బట్టలు విప్పదీసి, వాళ్ళ మర్యాదలలో చెయ్యిపెట్టి కెలికే మరి బయటకు వంపుతున్నారు. వాళ్ళ మూటముట్టే అంతయు శోధించి వంపుతారు. ఈ ఫైదీలైన యిటువంటి దురాచార చర్యలు జరుగుచున్నా? ప్రజాప్రభుత్వమని చెప్పటాని, ఇదేనా ఫైదీలకు చూపించవలసిన అదరం అని నేను ప్రభుత్వమును గట్టిగా అడుగుతున్నాను. కొందరు ఫైదీలను కొట్టుకుంటున్నారా జరుగుచున్నది. ఈ జైలు పరిస్థితులు యే విధంగా నడుచుచున్నవో ఒక కాంగ్రెసు మంత్రి ఆయిననూ విచారించారా! గనుక యీ జైల్ల పరిస్థితులు, అలా, అమానుష చర్యలు ప్రభుత్వం వారి దృష్టిలోనికి తీసుకొని యీ ముప్పురర్కాలు చేసినవారిపైనను, చేయించినవారిపైనను చర్య తీసుకోవాలని ప్రభుత్వమువారిని కోరుతున్నాను. ఇప్పటికైనను యీ జైలు పరిస్థితులు చక్కబరచుతారని నేను అశ్చుతున్నాను.

“ఇవికాకుండా యీ నేలం జైలులో ఇక C Class ఫైదీలు ఉన్నారు. ఈ ఫైదీలవడి చాధలు యింతయని చెప్పడకు వీలులేదు. వాళ్ళ సంభవంగాని, తల్లి తండ్రులు భార్యకొడుగుని చూడటానికి వీలులేక ఉండవలసివున్న నేలం జైలులో పుండుతున్నారు. తూర్పు గోదావరి, పశ్చిమ గోదావరి, కృష్ణా జిల్లానుండి వాళ్ళు ఎంత దూరమునుండియోవచ్చి interview యిస్తే, ఆ ఫైదీని ఒక బాలరు తడికబద్దకు తీసుకొని వస్తారు. ఆ బాలరు తడికకులైన ఒక చిన్న రంధ్రములోనుంచి యీ ఘోషిల్లు చున్న తలితండ్రులు, భార్యపుత్రులలో చూట్టాడుటకు వీలుచేస్తారు. ఈ కొంచెము

26th July 1952] [Sri P. G. Manickam]

வகையில் அவர்களுக்கு சிறையில் வேலைகளைக், கற்றுக்கொடுக்கவேண்டும். இப்பொழுது கூடப் பந்திரி அவர்கள் ஒன்றை தெரிவித்தார்கள். சிறையிலுள்ளவர்களுடைய சிறு குழந்தைகளுக்கு கல்வி வசதி மற்றவர்களுக்கு தொழில் வசதி முதலியன கொடுப்பதற்காகப் பணம் ஒதுக்கப்பட்டிருக்கிறது என்று தெரிவித்தார். அத்துடன் நான் ஒன்று தெரிவித்துக்கொள்ளுகிறேன் குடிமைத் தொழில் என்ற முறையிலாவது பறபலவிதமான தொழில்களை அந்த இடத்தில் தாராளமாக ஏற்படுத்தலாம். அநேகமாக தலைமை ஸ்தாபனங்களிலுள்ள ஜெயிலிலிருப்பவர்கள் ஆறு மாதம், ஒரு வருஷம், ஒன்றரை வருஷம், இரண்டு வருஷம் இருக்கக்கூடியவர்களாகத் தான் இருப்பார்கள். அவர்கள் சிறைவாசம் அனுபவித்துவிட்டு வெளியே வரும்போது கைத் தொழிலில் அனுபவமுள்ளவர்களாக வெளியே வரவேண்டும். வெளியில் வந்தவுடன் கனியூடைய வாழ்க்கையை தானே நடத்திக் கொள்வதற்கான தொழில் அவனுக்கு அளிக்கப் படுவேண்டும். அவ்விதம் தொழில் கல்வி பயின்று அவன் வெளியே வந்தால் அவனுக்கு கவர்ன்மெண்டு மூலமாகவோ அல்லது கோவாபட்டினம் சொசைட்டி மூலமாகவோ கடன் உதவி செய்து வந்தால் அவன்குறைத் தொழிலில் மறுபடியும் ஈடுபடாமல் ஒரு தொழில் நடத்தி சம்பாதிக்கக்கூடிய நிலைமையிலிருப்பான். ஒரு தொழில் அவன் நடத்துவதற்கு ஏற்றவனவும் இருப்பான். பிற்காலத்தில் இப்படிப்பட்ட ஒரு வேலையான காரியத்தையும் செய்யமாட்டான். அதனால் இந்த சிறையினுடைய கஷ்டமும் கவர்ன்மெண்டிற்கு இருக்காது என்பதை தெரிவித்துக்கொள்ளுகிறேன்.

“ஹரிஜன வகுப்புக்களிடையே Criminal tribes என்று ஒரு வகுப்பை அழைக்கிறார்கள். அவர்களை கண்காணிப்பதற்கு போலீசுக்கு உத்தரவு இருக்கிறது. அவர்கள் ஒரு தடவை ஜெயிலுக்குப் போனால் பிறகு அவர்களை போலீஸ் கண்காணிக்கவேண்டும் என்ற உத்தரவும் இருக்கிறது. அந்தக் காலத்திலிருந்து இதுவரைக்கும் அவர்களுக்கு சரியான பரிகாரம் செய்து தரப்படவில்லை. தொழில் எதுவும் கற்றுக்கொடுக்கப்படவில்லை. கிராமங்களில் அவர்கள் என்ன செய்கிறார்களென்றால் இரந்து விசை எடுத்தச் சாப்பிடுவதைத் தவிர வேறு தொழில் கிடையாது அவர்களுக்கு. ஆகவே, இந்த Criminal tribes என்ற பெயர் எடுக்கப்படவேண்டும். அவர்கள் ஹரிஜன வகுப்பைச் சேர்ந்தவர்களாதலால் கைத்தொழில் முறையையும் கல்வியையும் அவசியம் அவர்களுக்கு அளிக்கப்படவேண்டும் என்பதை நான் தெரிவித்துக்கொள்ளுகிறேன்.

“சிறையில் பெருமாலும் ஏழைகள்தானிருக்கின்றார்கள். அவர்கள் படிப்பில்லாத மக்களாகவும் பகுத்தறிவு இல்லாத மக்களாகவும் இருக்கின்றார்கள். ஆகையால் அவர்களுக்கு சிறையில் நியாயமான பரிகாரம் தேடிக் கொடுக்கவேண்டும். அதற்கு வேண்டிய சாதனைய அளிப்பது ரொப்பவும் நல்லது என்பதைத் தெரிவித்துக்கொள்ளுகிறேன். ஜெயிலில் அவர்களுக்கு நல்லபடிப்பிற்கான பொதுக்கூடம் நடைபெற்றால் அதைக் கொண்டு அவர்கள் சீர்திருந்துவதற்கு வழிபெற்றபடும் என்பதைத் தெரிவித்துக்கொள்ளுகிறேன். இரண்டாவதாக சிறையிலுள்ள அதிகாரிகள் பட்சபாதகம் இல்லாமல் நடந்துகொள்ளவேண்டும். தண்டனை அடைந்து வந்தவர்களை சீர்திருத்தம் செய்வதற்கான நோக்கம் அந்த அதிகாரிகளுக்கும் நமது கவர்ன்மெண்டுக்கும் இருக்கவேண்டும். தண்டனைப்பட்டு அங்கு வருகின்றவர்களை சீர்திருத்தம் செய்து அவர்களை உலகத்திற்கு நன்மையைச் செய்து கொடுக்கக்கூடியவர்களாக வெளியே வருவதற்கு கவர்ன்மெண்டு சாதனைகளைச் செய்யவேண்டும். இந்த விஷயங்களில் சர்க்கார் சிரத்தை எடுத்துக் கொண்டு அதற்கு வேண்டிய சாதனைகளைச் செய்யும்படியாகக் கேட்டுக்கொள்ளுகிறேன் அரசாங்கத்தின் நோக்கம் எப்படி இருக்கவேண்டுமென்றால் அரசாங்கத்தின் அதிகாரிகள் சிறையிலுள்ளவர்களை சீர்திருத்தம் ஒரு முக்கியமான நோக்கமுள்ளவர்களாக இருக்கவேண்டும். முதலாவதாக அதிகாரிகள் மற்றவர்களை சீர்திருத்தம் செய்கக்கூடிய குணங்களை உள்ளவர்களாக இருக்கவேண்டும். ஏழைகளுக்கு நன்மை செய்வதற்கு ஊக்கமுள்ளவர்களுக்கே வேண்டும். அவர்களுடைய வாழ்க்கைக்குக் கொடுக்கும் சம்பளத்தை அதிக வருமானம் சம்பாதிப்பதற்கு சாதனமாக வைத்துக்கொள்ளாமல், அவ்வித நோக்கம் அவர்களுக்கு இருந்தால் அந்வே அதை மறந்து

[illegible]

* SRI E. K. SANKARA VARMA RAJA :—" Mr. Deputy Speaker, Sir, I rise to support the Demand XIII—Jails. After hearing the statement made by the Hon. Minister in charge of the Jail Administration, somehow or other, I feel that I would like to go inside a jail once again to enjoy the facilities provided by the Government, simply as a test. Sir, I had occasions to be inside prisons for two and a half years and my experience in the past has been that if a pious man had unfortunately to be imprisoned and stayed in a jail for three or four months he would come out as a very bad rogue. After I had heard the Hon. Minister's statement and the nature of facilities that are now given to the prisoners, I am very much satisfied about the administration of jails by our Government. Most of the prisoners in those days were ill-treated probably due to foreign domination. But, even now I have heard from some of my hon. Friends that prisoners are being ill-treated by the jail officials. I would request the Government to see to it that there is no feeling in the minds of the prisoners that they are inside a jail. Very good treatment should be given to them and they must be made as comfortable as possible. In the years 1932-34, the food which was given to us in the jails was so bad that I myself had thrown away my food at the sight of the worms in it. Excepting for what I heard from the Hon. Minister's statement, I do not know the present state of affairs as regards food in the jails. As regards clothes, in those days some of the prisoners were wearing only rags and now the Hon. Minister says that better clothing and better cumblies are given to the prisoners. I now hear that facilities are given to all the prisoners for entertainment and study. Books and newspapers are also supplied to the prisoners. It is very good to hear of these things.

“ Then, Sir, I would submit that the tendency of every man is not to go to a prison but men are forced inside a prison due to extraneous circumstances. They steal simply because they are not able to get proper employment. When once they are inside a prison the jail authorities should treat them properly and train them in some craft so that when they come out they will be able to lead a good life.

" Sir, as regards classification, I think that in former days there were three classes of prisoners and the C Class prisoners were the

[Sri E. K. Sankara Varma Raja] [26th July 1952]

most ill-treated by the officers. I hear that now there are only two classes. I am of the opinion that there should be no classification inside the jail. All people who are unfortunate to be sent to jail must be put in one class only and all must be treated alike. I feel, Sir, that this kind of treatment will give the prisoner, when he comes out of the jail, an impetus to make himself a useful citizen because he has been trained in a suitable craft and has been treated well. There will be a feeling created in him that he should not commit any unlawful acts when he is out of the jail. With these words, I support the main motion."

5-50
P.m.

* SRI P. RANGASAMI REDDIAR :—" Mr. Deputy Speaker, Sir, if any Department requires reformation, I think the Jail Department requires it. So far as the Jail administration is concerned, it continues to be the same as it was some years back or as it was even a century ago.

" Jail accommodation in almost all the jails is insufficient. For instance, there is one sub-jail in Tiruchirappalli, constructed, perhaps, during the pre-Victorian days. It is no more wanted. It may be safely closed and the money spent on this jail may be spent on the Central Jail which can easily accommodate a thousand prisoners more. I think the condition of jail accommodation is almost the same in all the other jails in the State.

" As far as the under-trial prisoners are concerned, they are detained for fourteen days or so, in the sub-jail in the mofussal places. At times, police officials approach the Magistrates and get permission for their further detention under the pretext that investigation in cases relating to them is not over. This practice, Sir, is most undesirable and must be put an end to. Nobody should be detained as an under-trial prisoner for more than two or three days.

" Regarding the diet supplied in jails to prisoners, the hon. Member who spoke just before me referred to the conditions prevailing in 1931-33. I can assure him and also the other hon. Members of this House that the condition has become worse now. The diet given is hardly sufficient for the prisoners. Only 8 ounces of rice diet is given. It is desirable that this should be increased to 12 ounces at least.

" So far as medical facilities available for the prisoners inside the jails are concerned, though nothing can be said against the capacity of the doctors employed, I can say that they are the people who lead a most leisurely life and they have practically no work inside the jails. From the reports I hear from prisoners returning from jails and also from the reading of reports published in the newspapers, I think no medical aid is given to any of the prisoners. Sir, for lack of proper medical facilities many prisoners die inside the jails.

" We must all bear in mind that jails are the places where the prisoners should be reformed morally and also in their outlook on life. But unfortunately we find that most of the prisoners, who enter the jails, return highly demoralised.

26th July 1952] [Sri P. Rangasami Reddiar]

“ With respect to other matters concerning mismanagement and maladministration of jails, I wish to draw the attention of the hon. Members of this House to two or three incidents that took place in recent years. First, I wish to refer to the most horrible incident that took place on 11th February 1950 in the Central Jail, Salem. I think the hon. Member who just spoke before me in Telugu also referred to it. I shall refer to the incident briefly. About 22 prisoners were shot dead inside the jail and about 150 prisoners were injured as a result of shooting. Somewhere in November 1951, the hon. Member, Sri P. Venkateswarlu put an interpellation in the last Assembly whether an enquiry was made by the Government into this incident and, if an enquiry was made, whether the report of that enquiry would be made available to all the Members of the Assembly. The Hon. Minister in charge of Jails then replied that an enquiry was made by an impartial tribunal but that the report would not be made available either to the Members of the Assembly or to the public. If the tribunal had justified the action of the Jail authorities in shooting down 22 prisoners and if the Government also felt that the jail authorities were in the right in shooting down innocent prisoners and seriously injuring a number of them, there was nothing wrong in the Government supplying copies of the report of the Tribunal at least to the Members of the Assembly. It is a matter, Sir, pertaining to the lives of 22 prisoners and also the rights of the prisoners inside the jails. I think the Hon. Minister will consider this aspect of the matter and see that copies of the report of the tribunal are supplied to hon. Members of this House.

“ In March 1950 some prisoners were ill-treated in the jail at Saidapet and subsequently they were transferred to Madras Penitentiary. One of them, Mrs. Lakshmi Ammal went on a hunger-strike as a protest against the ill-treatment meted out to the prisoners, for about 24 days. On the 24th day, some attempts were made to feed her forcibly, as a result of which she died. Immediately a strong rumour was circulated that she committed suicide. It passes one's comprehension how this woman, aged about 60, who went on a hunger-strike for about 24 days was able to commit suicide and even that within the precincts of the jail.

“ Again in July 1950, one Ramanathan and other prisoners who were detained in Madurai Jail went on strike as a protest against the sentence of death awarded to one Balan, a labour leader of Madurai. This Ramanathan was dragged from his cell, trampled upon by jail warders with booted legs and beaten to death in the presence of other prisoners. So far no enquiry has been made into this atrocious act of the Jail warders of the Madurai Jail. It is high time that the Government look into these matters and order an enquiry into them. It is advisable that the report of the enquiry is made available to all the Members of this House.

“ Again, Sir, during 1949-50, there were a number of shooting incidents in Vellore and Cuddalore Jails. As a result of shooting in Cuddalore Jail, four prisoners died. There are innumerable such atrocious incidents which had taken place in the different jails of

[Sri P. Rangasami Reddiar] [26th July 1952]

the State. I should like to ask: is it the purpose of the jail administration to shoot down innocent prisoners and put them to death within the precincts of the jail? Is it in any way sanctioned by criminology? We have to consider whether any person going to such jails and living there for some time would come out with any improvement in his spiritual and moral outlook.

"I think it is also advisable that persons who are convicted and sentenced to undergo imprisonment for short terms below three months should not actually be made to enter any of these jails but should be let on probation for one or two years. If they happen to commit any other offence warranting a conviction during their period of probation, they may also be made to undergo the imprisonment for the period already sentenced for the first offence. This is a matter which the Government should consider.

"As regards the appointment of jail visitors, the Hon. Minister referred to M.L.A. visitors to jails. I do not know whether he means by M.L.A. visitors to jails that all Members of the Legislature are *ex officio* visitors to Jails or that some Members of the Legislature only are appointed as Jail Visitors. I would like to make a respectful suggestion that all the Members of this Honourable House may be made Jail Visitors so that they may get first-hand information about the administration of jails, and be in a position to appraise the Hon. Minister in charge of Jails of the real condition of the jails. It is high time, Sir, that all Members of the Legislature are made Jail Visitors."

6 p.m.

* SRI A. RAMASAMY THEVAR:—"Sir, in supporting the Demand moved by the Hon. Minister for Jails, I wish to say a few words. Fortunately or unfortunately I come from a Criminal Tribe. I want to confine my remarks to the Tiruchirappalli Central Jail. Since I am an Honorary Visitor to that jail, I know something about it. First of all, I would like to bring to the notice of the Government that the cooking utensils in that jail are made of iron. In one of its meetings, the Jail Committee resolved to replace them by copper vessels on the ground that the use of iron utensils was injurious to health.

"For Muslim and Christian prisoners in the jail, there are priests. Christian missionaries come and preach on every Sunday. But there is no priest for Hindu prisoners. I request the Government to appoint priests to preach good things to the Hindu prisoners at least once in a fortnight so that the prisoners might imbibe the good teachings and get themselves reformed.

"My community people are classified as a Criminal Tribe. They are spread all over from South Arcot right up to Cape Comorin. There is only one reclamation scheme, the Kallar Reclamation Scheme at Usilampatti, for them. I submit that this is quite insufficient. My humble suggestion to the Government is that they must start five or six more reclamation schemes, especially in Tanjore, Ramanathapuram, Madurai and Tirunelveli, and the Government know full well that the Criminal Tribes are very poor and backward. Ninety-nine per cent of them are agricultural people.

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To wean them away from criminal tendency, Government should immediately open schools to educate them. This is a most important thing which I wish to urge on the Government.

"We read in the newspapers that the Bombay Government have introduced certain jail reforms. During the regime of our Hon. Chief Minister Sri C. Rajagopalachariar, steps must be taken to provide more amenities to, and ameliorate the conditions of, discharged prisoners. I hope he will certainly do it because it is in the best interest of my community people. There is a Discharged Prisoners Aid Society in Tiruchirappalli. That Society has employed some officers to help discharged prisoners. The Government should see that more such officers are appointed.

"Several Members made suggestions to improve the condition of political prisoners as well as detenus. The hon. Member Mr. M. Kalyanasundaram wanted certain steps to be taken to improve the condition of warders and other jail staff. I request the Government to bear those suggestions in mind and implement them as far as possible.

"In conclusion, I request the Hon. Minister for Jails to pay a visit to the Tiruchirappalli Central Jail and satisfy himself about the need for implementing the suggestions that I made in the beginning of my speech."

* SRI K. KRISHNA RAO :—"Mr. Deputy Speaker, Sir, it is a common place axiom that a man is innocent until he is found guilty by law. This axiom in Indian parlance has come to mean this; that a man is innocent so long as the police say that he is not guilty. That is the real situation in India. Once a man is charged by the Police, he is arrested and produced before a Magistrate. From that moment, he is treated as a convict. He is made to stand before the Magistrate. Automatically the Magistrate gives remand. We are made to believe that all of us are Indians. The British mentality is still here. We feel that we are sinners and, therefore, we are fit for jail life.

"Under-trial prisoners are supposed to be treated on a different footing from the ordinary prisoners. But they are treated in almost the same way as convict prisoners. This is the position. There are different rules for under-trial prisoners and convict prisoners. But the rules are there only for being paraded before the Assembly Members.

"There is another trick that we have been witnessing from 1948 and that is there is one set of rules for those prisoners who are dubbed as Communists and another set of rules for the other prisoners. I know as a matter of fact, and many of the jail officials have told me, that if a man is put in jail and he is dubbed as a Communist or Communist-sympathiser—and the Government may borrow from America expressions like Communist fellow-traveller—he is made the target of special harassment. Mr. Kalyanasundaram was telling us that dehumanising process was the one thing in which Indian jail officialdom had specialized. The jail officials are autocratic, they want to provoke and they want to make the prisoners

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feel that they are slaves. A prisoner must put up with it and that is loyalty, that is goodness! I submit that it is the height of badness. Goodness is the love of democracy and love of liberty. It is precisely for that love that people are put in jail. After the lapse of a certain time, the Preventive Detention Act became very unpopular. The Judges got a number of *habeas corpus* applications, and in certain cases they held that the detention was not justified and ordered the release of the detenus.

"The police have a big list of starred suspects, X with one star, Y with two stars and so on. Probably the District Superintendent of Police gets intimation from the Secretariat. A person may be absolutely innocent. He may be sleeping or sick and yet he is arrested. The point is that instructions are issued from the Centre to arrest a person because they think that he is not a political slave of the ruling party. He is simply dragged to the police station, put in the lock-up and produced before a magistrate who orders 14 days' remand, again another 14 days' remand and rejects the bail application. In the meantime, he is subjected to severe harassment and told: 'Why don't you say that you are not connected with the Communist Party?' The District Collector has promised me that he would release you if you give such an undertaking. These demoralising things should stop. Are the Government manufacturing men or slaves, I ask.

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"I think it is Mr. Bhashyam who said that people were kept in sub-jails just like wild animals in the circus cage. They are just allowed to go out for food. At other times they are kept in the lock-up. I ask the Government 'why don't you open a big circus and issue one anna tickets to the public; you will then get a lot of money' I ask, Sir, are not the Government ashamed to do all these things? Are they not ashamed to keep these political prisoners, who are cultured, in lock-up for twenty-four hours and then come and say that they are giving very good treatment? Whom are the Government going to satisfy?

"The ordinary prisoners have got a number of grievances. When political prisoners go to a Central Jail, the ordinary prisoners think that there is a great relief on account of these political prisoners there. If there are no political prisoners, the life of the ordinary prisoners would be hellish. On every Friday all these ordinary prisoners are required to stand before the Superintendent of the Jail to represent any grievances. If any one dares to say anything, for example, *Pulusu* contains worms or that there is a greater percentage of stone in the rice, immediately the fellow gets a thrashing. Therefore, I say, Sir, that if the Government want good administration in jails, they must have elected committees to supervise the work there, though the jail officers will be responsible for the administration. I am saying this very seriously. Most of our friends think that prisoners are not men. Congressmen themselves were prisoners once. Perhaps the Government of the day then thought that prisoners were not men. Prisoners are prisoners to-day because in many cases they cannot engage very good advocates for a good fee. That is one reason. The other reason is

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many of them are poor. Jail is the worst unemployment relief in India. The temples do not provide unemployment relief. The Churches do not provide unemployment relief. The Government do not provide unemployment relief. I think the only unemployment relief is the jail. I have seen a number of men coming to the jail again. I asked them 'why did you come again?' They said 'it is a good place to live in'. The jail official said 'the worst beating has not had any effect on you; do you think that this is a *chatram*?' There is an impression prevailing among the poor people that a jail is a *chatram* for them. In fact, it is the refuge of the unemployed. Let not Government forget that it is the tragedy of Indian life that our jails are made the refuge of the unemployed. Let the Government have a human administration and a democratic administration. That is precisely what we want.

"For the work of the Tungabhadra Project, convict labour is used. Convict labour is used for works which require free labour. The Tungabhadra Project requires free labour. The prisoners are utilized for the work of the Tungabhadra Project just perhaps to enrich the contractors. Convict labour is had for a song, whereas free labour will cost Rs. 1-8-0 or so per day per head. What I say is, there should be absolutely no question of convict labour being used for work which requires free labour. Convict labour is not labour but forced labour. There is no point in hon. Members opposite saying that there is forced labour prevailing in the Soviet Union. They have it here in India. Let the Government first set their house in order, and see that convict labour is not used for work outside the jail premises. In regard to work inside the jail itself, the Government should pay them wages at the ordinary rates. Let not prisons be made engines of oppression against other parties. Most of us know that the old order still continues. Bad orders do not go away unless they are removed. Snakes do not die unless they are beaten with a stick. Even General Dyer said that he wanted to teach people a lesson. The Hon. Mr. Rajagopalachari wants to teach people a lesson. He is teaching them a lesson in maintaining law and order. The very same old things are there. Old things do not go away so easily. That is why I say that these things should be revised. I want a free atmosphere to prevail, Sir."

* SRI K. RAJAGOPALA RAO :—“ ఆధ్యక్షా మొట్టమొదటిగా కోరిక తెల్పా

నాన్ని బలపరుస్తూ జైల్ల శాఖామన్యులను ఒక్క. ముఖ్యవిషయమే హెచ్చరిస్తున్నాను. ఈ శాఖ మలబారు జిల్లావారైన మంత్రిగారికి వారసత్వముగా వచ్చినప్పటికీ గత ఆయిదు సంవత్సరములుగా ఈ శాఖ పరిపాలనను నిర్వహించిన శ్రీ మాధవమీనాగారివలె శ్రీ కుటికల్ నాయరుగారు ప్రవర్తించవద్దని కోరుతున్నాను గత ఆయిదేళ్లలో ఈ శాఖలో ఎక్కా దుస్సానికదాయములు ప్రవేశపెట్టబడినవి. తప్పనిసరిగా జైల్ల సేరస్తులను మానవులుగా చేయుటకు బద్ధులు మరింత హిసస్థితికి దిగజూర్చుతున్నాయి. జైల్లలోని ఖైదీలను అధికారులు తప్పచాయలుగా మాత్రమే చూస్తున్నారని మానవులుగా చూడడంలేదు. ఇటువంటి దుష్కరిపాలన జరగటానికి ఆనాటిమంత్రిగారు చాలావరకు బాధ్యుని చెప్పవలసిఉంది. కాబట్టి శ్రీ మాధవమీనాగారి అడుగుజాడులలో నడువ

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వద్దని జైళ్లశాఖమంత్రిగారిని ఒకటికి పదిపూర్లు హెచ్చరిస్తున్నాను. జైళ్లపరిపాలనలో సంస్కరణలు కావాలని ఎంతోకాలంగా కోరుతున్నాను. ఈ విషయమై విర్యాలు చేయబడిన కమిటీవారు సమర్పించిన రిపోర్టులోని సూచనలను వెంటనే అమలుపరచ వలసినదని కోరుచున్నాను. సంస్కరణలను అమలుజరిపేలోపల ప్రస్తుతం అమలులో ఉన్న శాసనాన్ని సరళమంగా అమలుజరిపే ఖైదీలను మానవహృదయాలాచే విర్యాలు చేయగోరూను.

“జైళ్లలో ఈ నాడు ఖైదీలను ఎంత అమానుషంగా చూస్తున్నారో మనవి చేస్తాను. మానవులయొక్క శ్రమశక్తిని సద్వినియోగంచేయడమనేవిషయం ఈ జైలు అధికారుల దృష్టిలోనే లేకుండాపోతున్నది. ఏ ఇతరపనిలేదు గనుక, ఖైదీలచేత వీదో ఒక పనిజేయించాలికిదా అనేభావంతోనే పనికల్పించబడుతోందికాని, ఆ పని వల్ల ఉపయోగం ఏమనేవిషయం ఎవరూ ఆలోచించడంలేదు. ఈ సందర్భంలో ఒక సంఘటనను ఉదాహరణగా తెలియజేస్తాను. రాజమండ్రి జైలులో ఒకసారి ఖైదీల చేత పనిచేయించి ఒకగోడ పెట్టించారు. 15 రోజులు అయినతరువాత వల్ల ఖైదీలకు పనిచూపేటానికై ఆ పెట్టించిన గోడనేపడగట్టించారు. మానవుల శ్రమశక్తిని సద్వినియోగంచేసే విధానం ఇదేనా. అని అడుగుతున్నాను. ఈ విషయంలో ఒక్క ఉదాహరణనే మనవిచేశాను. ఇటువంటి సంఘటనలు ఎన్నో జరుగుతున్నాయి. మానవుల శ్రమశక్తిని దుర్వినియోగంచేయడం మాన్పించవలసినదని మంత్రిగారిని కోరుతున్నాను. ఒక మనిషిచేత ఏదైనాపనిచేయించినట్లయితే దానివల్ల సంఘానికి, దేశానికి ఉపయోగం ఉండేటట్లుచూడడం ప్రభుత్వంయొక్క ముఖ్యధర్మం. మానవశ్రమ శక్తికి ఎట్టివిలువఇవ్వకుండా, పశువులవలె చూడటాలాగుట వగైరా పనిచేయించడం అమానుషకృత్యమని ప్రభుత్వం గుర్తించగోరూను.

“ఈనాడు ఖైదీలను చూడు ముఖ్యవిషయాలు కాథిస్తున్నాయి. అవి లిండి, గుడ్డ, ఖైదీలకుదా మానవులేనని భావించకపోవడం. ఈనాడు ముఖ్యవిషయాలలోను ఖైదీలకు సౌకర్యములు కలుగజేయవలసివున్నది. ఖైదీలకు ఈనాడు చాలినంత ఆహారం, గుడ్డలు ఇవ్వబడడంలేదు. వైద్యసదుపాయంలేదు. జబ్బుచేస్తే ఖైదీలకు ఆసుపత్రులలో పరింగనీళ్ళిస్తారుగాని, రోగనివారణపట్ల శ్రద్ధచూపరు. నెలల తరబడి ఖైదీ జబ్బుగాఉన్నా ఆలనావాలనాచూచేవారు ఉండుటలేదు. ఇటువంటి సంఘటనలను నేను కళ్ళారాచూచాను. ఈ విధమైనటువంటి ప్రవర్తనను మానిపించవలసినదని ప్రభుత్వానికి తెలియజేస్తున్నాను. జైలు సూపరింటెండెంటుకాని, జైల్లోకాని, వార్డు గారి ఖైదీలయెడ సహృదయంతో ప్రవర్తించడంలేదు. మానవ మనస్తత్వాన్ని గుర్తించి పరిపాలన సాగించడం ఈ అధికారులలో నానాటికి లోపించిపోతోంది. ఖైదీలగురించి చాలామొరటుగాను, నీచంగాను, హియంగాను మాట్లాడడంవారికి పరిపాటి అయి పోయింది. ఈ దుస్సాంప్రదాయాలను ఎంతత్వరగా తొలగిస్తే అంతమంచిది. ఖైదీలుకూడా మానాభిమానాలు ఉన్న తోటిమానవులేనని గుర్తించుటకు కావలసిన శిక్షణ వారికి ఇప్పించాలి. నాడే ఈ అధికారుల హృదయాలలో మానవ మనస్తత్వం ఏర్పడుతుందని మనవిచేస్తున్నాను.

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“ఈ జైళ్లశాఖలో nepotism (బంధుప్రీతి) కూడా ప్రవేశించుచున్నది. విచారణయైన పంత్రిగారికొడుకుతో లేక కాంగ్రెస్ M.L.A. గారి అల్లుడితో ఈ శాఖలోనియమించి వారికి తొందరగా ప్రమాక్షలు ఇవ్వడంజరుగుతోంది. వీరు చక్కచక్కా సూపరింటెండెంటులు అయిపోతున్నారు. ఇటువంటి పక్షపాత విధానం వల్ల జైళ్లు రాజీయ కక్షలకు కేంద్రాలుగా మారిపోవడానికి అవకాశమయింది. అంచేత ఈ విధానాన్ని తిరిగిచూడడానికి ప్రభుత్వం పూనుకోవాలి.

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“అలాగే సబ్ జైల్స్ స్థితికూడా చాలా హృదయవిదారకంగా ఉన్నది. ఈ జైల్స్ లో ఎటువంటి సదుపాయాలు కలుగజేయబడటలేదు. ఫైదీలు ఆస్తుడప్పుడు తమ బాధ్యునిదైలను చూచుకొనే సదుపాయంకుడా తక్కువ చేయబడుతోంది. వి. ఆయిదు నిమిషాలూ పది నిమిషాలూ తప్ప ఉన్నప్పుడూ ఫైదీలను బంధువులతో మాట్లాడనివ్వడంలేదు. నేను Sub-jail (సబ్ జైలు) లో 14 సంవత్సరాలు ఉన్నాను. అంతే సబ్ జైల్స్ స్థితి నాకు బాగా అనుభవం. ముఖ్యంగా ఫైదీలకు వి. వి. సదుపాయాలు కలుగజేయబడవలసిన విషయమే Manual లో స్పష్టంగా నిర్వచించబడి ఉండలేదు. మాన్యుయల్స్ ఉన్నటువంటి కొద్దికంటే సదుపాయాలకు కూడా ఫైదీలు ఉద్యోగుల దయాదాక్షిణ్యాలమీద ఆధారపడి ఉండవలసివుంది. అందుచేత ఈ సబ్ జైలు మాన్యుయల్స్ ని తిప్పివేయాలి.”

“Sub-Jails లో ఫైదీలను 24 గంటలకాలం నిర్బంధించడం చాలా అన్యాయం. 24 గంటలూ lock up లో ఉంచడంపై క్రైడిమానసిక స్థితి ఎలా ఉంటుందో గమనించవలసి కోరుతున్నాను. Sub-jails ను re model చేయించాలి. గాలి, వెలుగు ఉండేటట్లుగాను, నీళ్లు పోయే సదుపాయాలతోను ఈ గదులను నిర్మించాలి. 24 గంటలూ ఫైదీలను lock-up లో ఉంచే పద్ధతిని రద్దుచేయాలి. బాహ్య ప్రపంచంలో వారికి అసలే సంబంధం లేకుండా చేయడం అన్యాయం.

“ఇక ఈనాడు క్రైడిమి వీడిలకో సుపడే లావు తయారం విషయంకూడా ప్రభుత్వం గమనించాలి. వీడిలకోసం వారు తీసేతిండిని, రొట్టెముక్కను, కడకు మానాభి మానాలను అమ్మకొంటున్నారు. ఈనాడు జైల్స్ లో ఉన్నది వీడిలకో శిక్ష మేనని మనవి చేస్తున్నాను. ఈ విషయం ప్రధానమంత్రి రాజగోపాలాచారికి, జైల్స్ మంత్రి కుట్టి కృష్ణ నాయుడుగారికి తెలియజేయబడింది కాదు. కాట్టి వారికి వీడిలను ఇకముందు లీగల్ గా allow చేయించాలి. ఫైదీలచేత జైల్స్ లో పనిచేయించి వారి శ్రమకే కీకీ తగిన ట్యుగా కూలి ఇప్పించవలసివదిగా కోరుతున్నాను. ఈ విషయంలో బొంబాయి ప్రభుత్వం ఏర్పాటు చేసిన జైల్స్ సంస్కరణల కమిటీవారు చేసిన సూచనలను చక్కగా ఉన్నట్లు కనిపిస్తుంది. వాటిని మన రాష్ట్రంలో కూడా అమలుచేయవలసివదిని కోరుతున్నాను. జైల్స్ లో క్రైడిమి కాంటీన్లు ఏర్పాటుచేసుకోవటానికి అవకాశం కలుగజేయాలి. వారు పనిచేసే సందర్భాల్లో ఉన్నప్పుడు, కాఫీ, ట్రాగటానికి, టీ ట్రాగటానికి, వీడిలకొను కొనుటానికి, ఇతర తినబండారాలు కొనుక్కోవటానికి ఫైదీలకు సౌకర్యం కలుగజేయాలి. అదేవిధంగా వ్యవసాయ పద్ధతులకూడా వారికి నేర్పాలి. ఈ వృత్తులు వారికి నేర్పించడంపై ఫైదునుండి విడుదల అయిన తరువాత వారు చేర్చే వృత్తులు చేసుకొని గౌరవప్రదమైన జీవితం గడవటానికి అవకాశం కలుగరుంధని మనవిచేస్తున్నాను.

“యావజ్జీవ ఫైదీల విషయంలో కొంత ఉదాహరణగా ఉండగోరాను. వారికి ఆస్తుడప్పుడు బాహ్య ప్రపంచంలో సంబంధం కలుగ చేయటానికి అవకాశాలు కలుగజేయాలి. అంతేకాకుండా parole మీద వదలడంలా కూడా ప్రస్తుతమున్న నిబంధనలను కొంత సడలింపాలి. ఈవిధమైన సంస్కరణలను అమలుపరిచినేరస్తులు తమ నేరస్థభావాన్ని మార్చుకొని సత్వం వ్రచ అలవర్చుకోవడానికి సహజమవడాలి. ఒకసారి జైలు నుంచి విడుదల కాబడిన ఫైదీ లోని జైలుకుళాకుండా ఉండేట్లు చేయాలి. జైల్స్ లో ఉన్న ఫైదీలలో habitual offenders చాలామంది ఉంటారు. అంతే నేరంచేయడముక్కిలే వృత్తిగా పెట్టుకోకుండుటకు ను, ఫైదీలకు జైల్స్ లో వృత్తులు నేర్పించవలసివదిని కోరుతున్నాను. అంతేకాకుండా క్రైడిమి Jail Manual లోని విషయాలను తెలుపుతూవుండాలి జైలు

[Sri K. Rajagopala Rao]

[26th July 1952]

మాన్యుయల్ ఖైదీలు కావాలన్నప్పుడు సప్లయచేయాలి. Manual ను సవరించాలి. వెంటనే బాంబాయి జైళ్ల సంస్కరణల కమిటీ సూచించిన సంస్కరణలను మన రాష్ట్రంలో అమలుచేయాలని జైళ్ల శాఖాధ్యక్షులను కోరుతూ నేను కోత లిక్కానాన్ని బలపరుస్తున్నాను."

* SRI S. DEIVASIGAMANY :—“ Mr. Deputy Speaker, Sir, I rise to support the cut motion that has been moved to-day on the floor of this House. According to criminal jurisprudence, the institution of jails has been created for the purpose of punishing the offender. This punishment is usually given by depriving him of his liberty for some period. We used to hear in the good old days that the criminals were subjected to all sorts of tortures and harassments. We used to hear that the criminals were beaten with whips and also were subjected to odd tasks. But now that method of punishing the offender has gone. Mahatma Gandhi said, ‘ If a man commits a crime, it is because it is a kind of disease in him and it is the duty of the society to cure him of that disease and not to punish him. The society must try its utmost to redeem the offender.’ With this idea in mind, our Governments, not only the Madras State Government but also other State Governments, have been working and have implemented this idea to such an extent that the present day criminal is having a very very good time in the Penitentiary in Madras and in other places. This reminds me of a story which I heard the other day. It appears a man was sentenced to a certain period of imprisonment and his mother went to see him while he was in the jail. The mother, on seeing the offender in the jail, began crying and lamenting. But the prisoner said, ‘ Why do you cry? When I was at home, you did not feed me regularly. But look here! I am all right, hale and healthy. At the stroke of the bell, I am fed here. You need not cry.’ Thus he comforted his mother. This story will show how much a prisoner’s life is made comfortable and easy in the jails at present. But we must also take into consideration the fact that in the same jail there are different classes of criminals, criminals who go there for the first time as offenders and also criminals who go there very often since they cannot be cured of this disease. The latter set of persons go there not because they could not get any work outside but because they know that they will have an easy time in the jail. To such persons I would suggest that more deterrent sentences and punishments should be given and that they should not be treated in the same manner as the other ordinary prisoners are treated.

“ Then, Sir, in order to reclaim the prisoners, we must give adult education to such of those prisoners who do not know how to read and write. As some of the hon. Members have said, there must be a human touch in the jail administration. We must go and associate with the prisoners, have long conversations with them and also tell them that if they want to take their rightful place in society, they must behave in such and such a manner and that they are also expected to do their duty by the society. That is how we can reclaim the prisoners.

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[Sri S. Deivasigamany]

"One other thing, I would like to suggest in this connexion, is this. In olden days, we used to have, what was called, penal colonies. Persons who were sentenced to transportation for life or to imprisonment for a period of more than 10 years would be sent to the Andaman Islands to undergo sentences. I understand that has been abolished now. That was a wholesome way of giving to the prisoner a chance of redeeming himself. It will give an opportunity to those people to work hard during their period of sentence. Afterwards, they will have the satisfaction of owning some lands to fall back upon. That practice can very well be revived. We have got very many islands to which these long-term prisoners can be sent. They may be asked to work on the land and after they serve the period of imprisonment, those lands may be given to them. If this is done, it will enable them to become honourable citizens of the State. These are the few suggestions that I wish to place before the Government. I do not wish to take a long time. I request that the suggestions that I have made or the floor of the House may be taken note of and something may be done in this direction."

6-30
p.m.

* SRI T. C. NARAYANA NAMBIAR:—"Mr. Deputy Speaker, Sir, the Hon. Minister in his speech after moving the Demand made some reference to the adjournment motion that I moved day before yesterday. It was unfortunate and shocking that the Hon. Minister remarked that the adjournment motion was moved two days after the hunger-strike was withdrawn by the prisoners. He also made a contemptuous remark that it was not a fast but a farce. In all humility, I ask whether the Hon. Minister wants the prisoners to die. Does he want them to continue the hunger-strike and die? It is most unfortunate that a responsible Minister made such a remark when the prisoners had acted reasonably. These prisoners wanted to resort to hunger-strike as a last resort when all other steps had failed with regard to their demands. When that is the case, can they be dubbed as trouble-mongers? Again, when they exhibit their reasonableness by withdrawing the hunger-strike, can be Minister ridicule them in the manner in which he has done just now? Is it fair, I ask. In this connection, I wish to clear certain misunderstanding. It was on the 20th morning that I got a letter from the Office Secretary of the Malabar Communist Party, namely, Kunjurama Nayar. He stated in the letter that a hunger-strike was going to be resorted to by the prisoners. On that evening itself I wrote to the office that somehow they should be advised that they should not go on a hunger-strike for the reason that the Government were contemplating some reforms. I did not get any reply. Day before yesterday, when the motion was ruled out, I approached the Hon. Minister with some of my colleagues. We discussed with the Hon. Minister this matter. He was good enough to give us an assurance that the prisoners' demands will be conceded and the other questions were under the active and sympathetic consideration of the Government. The Hon. Minister also wanted me to send a telegram to the prisoners asking them to withdraw their hunger-strike."

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The Minister informed me that it may be mentioned in the telegram that it was sent in consultation with the Minister himself and that their demands will be conceded by the Government. I have got a copy of the telegram which I showed to the Hon. Minister. When I moved the motion day before yesterday, if the Hon. Minister had known that the hunger-strike had already been withdrawn by the prisoners, he ought to have mentioned it on the floor of the House even then. He did not do so. The fact is that he himself did not know it. He has the Government machinery and he can very easily know in no time whether the prisoners have withdrawn the strike or not. When he himself could not know this, how can he expect me to know it? Actually, it is only two hours back that I got a telegram that the hunger-strike had been withdrawn. I feel that the Hon. Minister is not fair in ridiculing the prisoners' withdrawing the strike merely because they have shown some reasonableness. It is he, who wanted me to send a telegram asking the prisoners not to resort to hunger-strike. When that is the case, it is most unfair on his part to have made that unfortunate statement on the floor of this House. I do not wish to dwell on this point too much.

"Now I wish to say a few words about the medical treatment accorded to the prisoners. In his speech, the Hon. Minister said that sufficient care has been taken in the matter and adequate provision has also been made for the medical treatment of the prisoners. In this connection, I have to point out that, in the Budget it is shown that only 62 people, comprising nursing orderlies, temporary compounders and permanent compounders will be attending on the prisoners. Though I cannot give the exact number of prisoners, I can state that there will be roughly 25,000 prisoners. If the Government are going to be satisfied with asking these 62 people to give medical treatment to these prisoners, it means that one compounder or orderly will be attending on 200 prisoners. How can one man attend on 200 people? Are the Government satisfied with this arrangement? Do they consider that this is quite adequate? I have experience of the medical treatment given in prisons, both as a prisoner under Congress rule as well as British rule. The prisoners are not given any medicine at all. They are given only 'water injection.' Whether it be cholera, head-ache or fever or whatever it is, they give only water, in the name of medicine, to these prisoners. This system of giving pure and simple water to the prisoners is still going on. I request the Hon. Minister to look into this matter and do something for the prisoners.

"About education, I think there are only 24 teachers, including four headmasters. One teacher has to teach about 200 prisoners or so. Is this possible? I do not think the Government have applied their mind to this question. The fact that they have not done so is quite obvious when we have a glance at the Budget.

"Regarding the dietary charges, the Government have not taken any steps to improve the diet given to the prisoners. The figures given in the Budget clearly prove this. For the year

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1950-51, they provided Rs. 28,28,478 under this head, but in the year 1951-52 the figure given under this head was Rs. 28,00,000. This means that no improvement has been made in the diet of the prisoners.

"As regards clothing and bedding, the prisoners are given a pair of clothing for a long number of years. In 1951-52, they provided a sum of Rs. 2,80,000 under this head, but for the current year, viz., 1952-53, the figure given under this item is only Rs. 2,00,000. This also clearly shows that no improvement is going to be made as far as the clothing of the prisoners is concerned.

"While we are on this Demand, I wish to draw the attention of the Hon. Chief Minister and the Hon. Minister for Jails, to an incident connected with the lives of two under-trial prisoners, Ryru Nambiar and Kuttiyappa, in the Cannanore Central Jail, which took place on 4th May or so. I am not going to give the names of the officers involved in this incident, as the Hon. Chief Minister in some other connection was good enough to say that it was better if names of officers were not mentioned on the floor of the House. So I do not want to name these officers.

"The then Circle Inspector of Cannanore went to the jail and made arrangements to take the two prisoners to a village near Kayaralam and they were shot dead at a place called Padikkunnu as was previously arranged for. I am prepared to give evidence and I request the Government in all seriousness to enquire into the matter. If it is proved false, I am prepared to undergo any punishment that may be given to me. That is my submission. 6-40 P.M.

"Then, I shall come to the case of one Mayarath Sankaran. The Hon. the Minister for Jails knows about this case. He was alleged to have been killed and his relatives did not know about his death until after the body was buried by the authorities. Even then, they could not get the dead body. There was a lot of agitation throughout Malabar. Mr. Kelappan, the then K.P.C.C. President also protested to the Government and then only the dead body was exhumed and post-mortem examination made. This kind of 'kumbakonam' also had to be enquired into.

"With these words, I support the cut motion."

DEPUTY SPEAKER:—"I may tell Mr. Nambiar that the word 'kumbakonam' is unparliamentary."

SRI T. C. NARAYANA NAMBIAR:—"I withdraw, Sir. Anyway, I want an enquiry to be made into that case also."

DEPUTY SPEAKER:—"Does the hon. the Leader of the Opposition want to speak on this Demand?"

SRI T. VISWANATHAM:—"No, Sir; there is nothing to speak in favour of the Demand."

* THE HON. SRI K. P. KUTTIKRISHNAN NAIR:—"Mr. Deputy Speaker, Sir, I have heard some of the speeches made by

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hon. Members and tried to understand them though they were in languages which are not known to me. Regarding certain allegations about administration of jails—particularly food—I have to say to this House that there is a marked improvement now as compared with the conditions obtaining in the jails in 1942. Charges were made that the conditions today are worse than in 1942. I too had the privilege of going to jail and I know, as a matter of fact, we have made much progress in this field of jail reforms. My only request to hon. Members who take interest in jail reform and the administration of jails is that they must wholeheartedly support me and help me. I have been going to all these jails. So far I have visited five jails at the request of some of the Members and have made personal enquiries. Some of the allegations made on the floor of the House are not borne out by facts mentioned to me by the inmates of jails.

“ In my speech, I made reference to the fast in the Cannanore Jail. It was because I had tried my level best to avert that fast. I was trying my level best to make it possible for the prisoners to be comfortable by removing some of the difficulties these people were suffering from. I know we are free and these people are inside the jails and I know what will be the reaction in the minds of such persons even at the slightest disability that they may suffer. I have submitted my views in this connection. It is also the intention of the Government to reform the prisoner so that when he comes out of the jail, he can be a good citizen of the State. Steps have been taken in all directions to achieve this object. Regarding jail reform, immediately after the publication of the Report of the Jail Reforms Committee, hon. Members will be given an opportunity to make their own suggestions in these matters.

“ Sir, an allegation was made that the Communist prisoners were treated worse than other prisoners. I deny that charge. If at all anything, it is the other prisoners that may have to make a charge that I am giving more amenities to the Communists than are warranted by the jail rules. I have allowed these amenities to be continued because they were enjoying them at the time they were under-trial prisoners. I have not cut them short.

“ As regards under-trial prisoners, we have been making every arrangement to see that they enjoy almost all the amenities that are possible to be given to them under the rules.

“ Coming to sub-jails and other matters, the allegations are all untrue. I am afraid hon. Members are getting information from others and they have no direct knowledge about these things. Perhaps in their sincerity to help prisoners, they are voicing some of these. I have gone to jails and seen things for myself. It may be stated by hon. Members that things are presented by the jail officials in a good fashion when the Minister visits the jails. But I must point out that I was surprised, when I visited the Rajahmundry jail, at the very good treatment given to prisoners there. Some prisoners were taught to sing; some were taught to dance and I enjoyed the sight immensely. I was told that for one or two

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hours, they were allowed to enjoy in the open without any restraint on their movement. Such amenities are given in all the jails. I have to congratulate the Inspector-General of Prisons on this. He has been taking very great interest in this work and I am sure that he will see that more amenities are given to them and that his subordinates do not tease them. I refer to 'teasing' because, allegations were made by the hon. Members about teasing by the Superintendent of the Salem Jail. I may tell this Hon. House that representations were made to me that the prisoners in Salem Jail might be transferred to the Rajahmundry Jail. I asked the prisoners whether they would be satisfied if the Superintendent of the Salem Jail was transferred. They said that they were not worried about the Superintendent but wanted interviews with their friends and relatives and other amenities. That is why they wanted a transfer. I interviewed them as regards certain alleged disabilities. They had no serious complaints against the Superintendent.

"I understand that it is very difficult to keep discipline inside jails. I have to place before the House the fact that some three days back, the jailor in Cannanore Central Jail was assaulted by a prisoner. So, the jail officials have to take certain precautions for the sake of preserving peace in the jails.

"References were made by the hon. Members to diet supplied in jails. I may tell the House that, when I visited the Bellary Jail, I was amazed at the quality and quantity of food supplied to the prisoners. I took with me the representatives of 'The Hindu', 'The Mail' and the 'Indian Express'. When we returned to the travellers' bungalow, those representatives told me that it was better to live in the jails as the food position there was better. It is freedom that the prisoners treasure most and the lack of that is the 'disability' that they are suffering from. Any disinterested visitor who goes and sees the condition in jails will be convinced that the present arrangement are quite alright. Every facility—whether it is in regard to food or medical treatment—is being given by the State.

(At this stage the Hon. Speaker occupied the Chair.)

"Sir, reference was made to Bombay State and it was said that in the matter of jail administration they have far advanced. I might inform the House that the materials for the reforms there were collected by visiting our jails in the country and studying the experiences of our jail administration. Regarding suggestions to introduce changes in the administration of jails in this State, I have only to submit that these suggestions will be considered when jail reforms are taken up and implemented to the extent necessary.

6-50
p.m.

"A reference was made to the shooting incident in the Salem Jail. The hon. Members of this House know that a committee, presided over by a retired High Court Judge of Madras, was appointed to enquire into the incident. The findings of the Committee were that there was provocation and the allegations made against the officers were not well-founded. The report was not

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published because there were some criminal cases pending against some of the prisoners and the publication of the report, it was thought, would prejudice their interests in those cases. A notification was also issued to this effect. The question of publishing the report is under our active consideration and I hope the hon. Members, when they get a copy of the report, can judge for themselves whether the action taken by the Government was justified or not.

“ Then, Sir, references were made to incidents that occurred in jails six or seven years ago. It will not be safe to institute enquiries into those instances now because we may not get proper evidence and it would be unsafe to put innocent persons into trouble.

“ Sir, the hon. Member, Mr. Nambiyar, objected to my remarks regarding the hunger-strike in Cannanore Jail. If only I was asked what was happening there I could have told him all about the incident. He knew I was negotiating for the transfer of the prisoners to the regional jails and an incident like a hunger-strike in any one of the jails would put off the transfer and would be prejudicial to the interests of prisoners who wanted the transfer. My only submission is that he ought to have got the information that they had gone on a hunger-strike and that it was going to be continued, before he tabled the motion. I do not blame him for this. Of course, in his anxiety to do good to the prisoners, he moved the motion. But it was rather unfortunate that he should have done it. Supposing the prisoners had gone again on a hunger-strike, thinking that a motion passed here might obtain their release, what will the hon. Member say then? I may mention here that life sentence has been passed on the person who had gone on hunger-strike. It will not be easy to release him, because, as I said the basis of his fast was the refusal of his claim for release. It is on that ground that he has threatened that he will fast. It will not be possible to review such cases without considering all the other aspects of the question.

“ Sir, I have nothing more to add. I thank the hon. Members for having patiently heard me replying to the various points raised during the debate. I request the whole-hearted co-operation of the hon. Members in the successful administration of the jails and I assure them every complaint would be sympathetically considered and as far as possible the requests made by Members would be attended to.”

MR. SPEAKER :—“ I am now going to put to the vote of the House the cut motion standing in the name of the hon. Member Mr. Kalyanasundaram. The question is—

‘ That the allotment of Rs. 1,23,56,000 under Demand XIII—Jails, be reduced by Rs. 100 ’.”

The cut motion was lost.

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MR. SPEAKER:—"I shall now put the Demand to the vote of the House. The question is—

'That the Government be granted a sum not exceeding Rs. 1,23,56,000 under Demand XIII—Jails'."

The Demand was carried and the Grant made.

MR. SPEAKER:—"The Hon. Minister for Rural Development may now move his Demand."

SRI T. VISWANATHAM:—"Are we sitting till 8 o'clock, Sir?"

MR. SPEAKER:—"Yes. If it is the desire of the House to adjourn now, I will adjourn the House. I want to know the views of the Hon. the Chief Minister."

THE HON. SRI C. RAJAGOPALACHARI:—"I have nothing to say in the matter, Sir. I am sorry the hon. the Leader of the House is not here now. I leave it to your decision. If it is felt it will not reduce the privileges of the Opposition, I support the adjournment."

SRI T. VISWANATHAM:—"We can continue till 8 o'clock since it is getting cooler now."

(3) DEMAND VII—GENERAL SALES TAX AND OTHER TAXES AND DUTIES.

* THE HON. SRI S. B. P. PATTABHI RAMA RAO:—"Mr. Speaker, Sir, on the recommendation of His Excellency the Governor, I move—

'That the Government be granted a sum not exceeding Rs. 1,55,43,000 under Demand VII—General Sales Tax and Other Taxes and Duties.'

In rising to move this Demand, I wish to say that this Demand relates to General Sales Tax and Other Taxes and Duties which include charges under the Electricity Acts, the Entertainments Tax and the Betting Tax Acts. Hon. Members will notice that demand is being made in the Budget for a sum of Rs. 43-11 lakhs to cover collection charges under Sales Tax. This includes, in addition to the actual establishment itself, and the charges incurred on the Sales Tax Appellate Tribunal which was set up in July 1951. This was established solely for the purpose of ensuring that the merchant community got all the advantages that the law of the country provided for the just disposal of the appeals by a competent judicial body. It has also to be borne in mind that the collection charges do not represent the collection of Sales Tax only. The Department is responsible for the collection of the Entertainments Tax, the Betting Tax, and the Motor Spirit Tax, which bring in a revenue of about 2½ crores of rupees. No separate charge is made for collection under these heads. The Sales Tax has at various times and at various places been referred to as the 'Kamadhenu' of Government and hon. Members will appreciate that this is our

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only flexible source of revenue at present, yielding on the whole an income of about Rs. 16 to 18 crores per annum. Compared to the total revenue derived from the working of the various Commercial Taxes Acts, the demand does not represent a large figure. The Government are aware that a certain amount of leakage of Sales Tax revenue still exists. Steps are being taken to remove the loopholes through which a part of the revenue due to Government escapes.

7 p.m. Under the Entertainments Tax, the Demand is for Rs. 110.02 lakhs. This represents the percentage of tax that has to be paid to the local bodies in whose jurisdiction the entertainment takes place. Government are merely a collecting agency and a major portion of the tax collected under this head is passed on to the local bodies concerned. A small percentage is retained by the Government to meet the costs and freight charges regarding the levy of entertainments tax, stamps, etc.

The Demand for Rs. 0.08 lakh under Betting Tax represents the commission of 1 per cent of the total collection payable to the Madras Race Club which has been entrusted with the work of collecting betting tax from the bookmakers.

"I would like to emphasize that in the working of the General Sales Tax Act, the Government have endeavoured, while safeguarding their revenues, to be as liberal as possible in the matter of exemptions and concessions. Every deserving case is examined thoroughly and concessions have been granted in respect of handloom cloth, perishables, dyeing and printing works, sales of milk by infant co-operative societies, unions, etc.

"There is one other item under Demand VII on which I should like to say a word by way of explanation. It relates to the charges under the Electricity Act for which a Demand of Rs. 1.97 lakhs has been made. These charges are on account of the Chief Electrical Inspector to Government, his staff and contingencies and cover the charges to be borne by the Government on account of the statutory inspections carried out by the officers of the Electricity Department on behalf of the Chief Electrical Inspector to Government. The charges incurred on account of the staff employed for the administration of the Madras Electricity Duty Act, 1939 are also debited to this head. The Chief Electrical Inspector to Government is in charge of the administration of the Indian Electricity Act and Rules, the Cinematograph Act and Rules and inspections enjoined by them and the work connected with the Electricity Duty Act and Rules, and the Local Authorities Electrical Engineers' Service. He has also been appointed as Acquisition Officer in connection with the acquisition by the Government of electrical undertakings under the Madras Electricity Supply Undertakings (Acquisition) Act, 1949.

"The Demand which I have moved is to ensure the collection of our main revenue and I am confident that the House will agree to pass this Demand."

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Mr. SPEAKER:—“ Motion moved—

‘ That the Government be granted a sum not exceeding Rs. 1,55,43,000 under Demand VII—General Sales Tax and Other Taxes and Duties.’ ”

* Sri K. VINAYAKAM:—“ Mr. Speaker, Sir, I move—

‘ That the allotment of Rs. 1,55,43,000 under Demand VII—General Sales Tax and Other Taxes and Duties, be reduced by Rs. 100.’

I deem it a rare privilege conferred on me by my party to move this cut motion. Sir, I want to convince this House, especially the Members on the Treasury Bench, that I am not one of those who simply oppose for opposition's sake. I sincerely believe in what I am going to plead and I leave it to the good sense of the Members on the Treasury Bench to consider whether what I have spoken does not stand the test of public finance. Sir, I am a student of public finance and I don't say that we should not be taxed. I know that, in any democratic country, the people have to pay more taxes if they want to realize more benefits from a Welfare State. But where the Opposition differs from the Treasury Bench is, from where exactly the taxes are to be collected, how they are to be collected, who has got to pay more taxes and who has got to pay lesser taxes. It is only on this principle that the two blocks in this House differ greatly. We honestly feel, Sir, that the General Sales Tax has come to stay and it can never be dislodged. So I do not plead like an ignorant man that this sales tax should be abolished in the State. It has come to stay. It has filled the gap that has been created due to the introduction of Prohibition by which the State has lost a large slice of its revenue. It is based upon moral issues and my faddist Friends on the other side will say that though there is a great loss of revenue to the State they are introducing a good measure like Prohibition. To make good the loss, this general sales tax was introduced in the year 1939 by the very Chief Minister, whom we are having in our Assembly now. When this tax was introduced, I was one of those who hailed it and I was in the Congress ranks then. I welcomed the tax. But how did it develop? It gradually became a monster in this country and I seriously say it is a monster in the State. The ex-Finance Minister Mr. B. Gopala Reddi, time in and time out, reiterated the same point and said that this was a ‘Kamadhenu’ which the Hon. Sri C. Rajagopalachari had invented. Of course, when it was introduced, there was great opposition because this tax was not in existence in any other country in the world except in France and a few States in the United States of America. But, in the teeth of opposition we all supported this tax because we wanted to make good the loss we were incurring due to Prohibition. But, what is the present rate of sales tax? Originally it was one pie per rupee on the general turnover of merchants and it came to three pies now with the result that every man who has to purchase anything has to pay

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sales tax. Mr. Speaker, even a beggar who has no purchasing capacity except the capacity to beg, when he buys his eatables, has got to pay sales tax to the Government. When the Members on the Government Benches approached the people for votes, what was their experience? Did not the people complain that the machinery for collecting sales tax is harassing the poor merchants? Sir, what is the lowest limit for collecting this sales tax? If the turnover is Rs. 10,000 per year, sales tax will be collected and it will work out to a turnover of Rs. 27 per day. Rupees 27 is within the limit of any small vendor in our State; even a *pan supari* merchant, a lady who sells green vegetables, a merchant who sells fish and other perishables, comes within this limit. Sir, licence has got to be obtained at the rate of Rs. 6, I believe, if the turnover is Rs. 7,500 per year and the merchant must show to the petty officers that it does not reach the Rs. 10,000 limit. Do the Government know what harassment their officers are causing? Of course, it is 'Kamadhenu' for the Government. Sir, I have been observing Minister after Minister paying glowing tributes to their staff for the way they are collecting sales tax. May I say, Sir, they are collecting it at the cost of the poor man, an ordinary illiterate who has high regard for the Congress Organization and who has good notions about this Government?

7.10
P.m.

" All articles under the sun, the Government tax. Do the Government exempt any perishable commodities? No. Even vegetables which may perish the next day are taxed. When I went for votes in the last general elections against the Congress candidate, I told the electorate that I would fight out this issue in the open Assembly. I gave my assurance to the people that I would try my level best to remove Sales Tax on perishable commodities like green vegetables. That is why I am pleading before the Government to exempt the vegetables, which the poor man buys, from the operation of the Sales Tax Act. What is it that is happening at the present moment? If anyone wants to buy green chillis, brinjals or drumsticks he has to pay more, for the vendor is taxed for selling vegetables. After all what is it that the poor vendor gets by way of profit in a day's bargain? Not more than Re. 0-1-6 or Re. 0-2-0 on an average, per day. When such is the case, what is the good of taxing him? I do not grudge against the Sales Tax as such. But the only request that I would make is not to bring within the purview of the tax, perishable commodities like vegetables. I appeal to the Government on behalf of humanity, on behalf of the poor man who sells the vegetables, on behalf of the poor man who buys his daily food and lastly on behalf of the very God in whom the Government say they place so much confidence, to exempt at least vegetables from the operation of sales tax. I trust the Government will do the needful. I shall show the discrepancies that exist in the manner in which sales tax is collected. All hon. Members know that there is an organization called the All-India Newspaper Editors' Conference. With their unanimous strength they successfully carried on their struggle against the imposition of sales tax on newspapers.

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They brought forth their grievances before the Parliament and got newspapers exempted from the operation of sales tax. But the ordinary brinjal vendor has no organization to plead his case either in the State Legislatures or in the Parliament of India. Hence his voice is only a cry in the wilderness. That is why I have come forward to represent their case in this House. I trust that my voice would not become a waste.

“ Gradually the Government have enhanced the sales tax from 1 pie to 3 pies in a rupee. What invidious distinction the Government are showing? The articles which the poor man buys are taxed, while luxury goods are not taxed heavily. I can give some proposals by which the Sales Tax Act could be made more perfect, with the result the Government's income could be raised and at the same time the sufferings to which the poor are now put relieved. Luxury goods like motor vehicles, spare parts, radio-sets and electrical goods could be heavily taxed, for the people who buy these goods occupy a better position in society and they can afford to pay more taxes. I know the Government have increased the sales tax on motor vehicles. But how much they have enhanced the tax? Over and above three pies on every rupee, the Government charge only six pies. That is not enough. These luxuries, an ordinary man earning about hundred rupees a month cannot even think of. Such being the case, car owners can be asked to pay something more. I know that my name will appear in the papers to-morrow morning with bitter criticism. The rich people who own cars will be high up in the air against me. But I do not mind it. The principle behind the imposition of sales tax should be to tax the rich heavily. I suggest that everyone who buys a motor vehicle may be taxed to the tune of Re. 0-4-0 a rupee. Similarly a man who buys a radio set could be taxed heavily. For these are conveniences which the majority of our population cannot command. Such progressive taxation as I have suggested sounds more logical and sensible.

“ Sir, much has been said about our alliance here. An hon. Member from the other side shuddered to touch the Communists with a pair of tongs. But, Sir, we have joined with the Communists on a common programme which we call the U.D.F. programme. In that programme, it is not the Communists' programme or the K.M.P. programme that is dominant. It is a programme evolved by all the parties that constitute the U.D.F. One such programme envisages the exemption of foodstuffs from the operation of sales tax. We thought of doing this when we came to power. Now I am requesting the Hon. Chief Minister to ponder over what I have said and exempt the foodstuffs from sales tax.

“ The fall in our revenue when we exempt foodstuffs from the operation of sales tax could be made up by enhancing the tax on luxury goods like the motor car and the radio, of which I have already made mention. For instance, we have a deficit of about three crores in our Budget. Has not our resourceful Finance Minister proposed additional taxes, viz., increase in tax on motor

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fuel, surcharge on land revenue and the like? I appeal to the Government once more to exempt foodstuffs from sales tax. If they do so, the sympathy of the vast millions of the people will be on their side.

By the way, I will make mention of one very serious handicap, which the small merchants are experiencing at the hands of the petty officials who come to collect the sales tax. I am sorry to observe that these officials lack human touch in the method of collection of the tax. They come to the shops, issue notices to the small merchants and most curtly demand the tax. Invariably the small merchants happen to be illiterates. If we take the average income of these small merchants, how much does their daily income come to? The average turnover will be somewhere between twenty and thirty rupees a day and the daily profit may not in any case exceed two or three rupees. At the present juncture, they find it difficult to carry on even their normal business. They do not know the A, B, C of sales tax. When these petty officials come and make a hubub, what do the poor merchants do? They do not like these petty officials putting on a show. They wish to dispose of them then and there so that no scene is created. They pay the money demanded by the petty officials. This sort of petty officialdom must be eradicated. Due supervision should be exercised over the collection of sales tax from small merchants.

7-20
p.m.

The Government have increased the tax on hotel establishment from three pies to four and a half pies a rupee if the turnover is over and above Rs. 25,000. Sir, I have had some experience in the catering line. I know the difficulties to which the hotel proprietors are put. When I talk of hotels in general, I am referring to the restaurants. Sir, I have some practical experience of restaurants and I have found that in almost all cases, except in the case of a few big hotels—such as, for instance, the Modern Cafe, Mysore Cafe, etc., which are in a position to pay the tax easily even if it is increased to six pies—the small restaurants, either in the City or in the mufassal, are incapable of paying even a three pies tax. Again, this tax is never collected from the consumer; it is paid only from out of the profits of the proprietor, with the result that the 4½ pies rate has been working havoc. I, therefore, plead once again that

MR. SPEAKER :—“The hon. Member Sri Mounaguruswamy Naidu.”

* SRI N. MOUNAGURUSWAMY NAIDU :—“Sir, I rise in support of the Demand moved by the Hon. Minister for Rural Welfare, and I oppose the various cut motions that have been proposed in respect of the same. The hon. Gentleman who moved the cut motion, I am glad to say, stated that Prohibition has come to stay, and that for good reasons, and that consequently we have to bear the burden of the sales tax. My only quarrel with him is that he characterized the sales tax as an inequitable tax. There I differ from my friend. The sales tax is an equitable tax. Every

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citizen is bearing the brunt of it; and every citizen who wants the benefit of a good Government, must not grudge to pay the tax. It may be that the present rate is a bit high. For the matter of that, if the sales tax is removed, then the agriculturists or other classes of persons will have to bear the entire burden of the taxation. That won't be equitable. Nor would it be fair.

“ Sir, in supporting the Demand moved by the Hon. Minister for Rural Welfare, I would like to bring to the notice of the Government certain defects that exist in the present system of taxation which cause hardship to the assessee, in the hope that the Government will give their careful consideration and try to rectify the defects, wherever possible.

“ Mr. Speaker, Sir, under the present system of taxation, every commodity or article is taxed several times, as many times as it changes hands from one merchant to another, with the result that ultimately, when the commodity reaches the consumer, its price gets increased considerably. It hits the trader as well as the consumer adversely. So long as the tax is multi-pointed, this hardship cannot be avoided. A clever merchant in order to get over this difficulty and to push through his sales, resorts to methods whereby he can avoid this taxation entirely. He maintains double accounts; he sells articles without passing receipts to the purchaser, and the consumer also in a large number of cases does not grudge purchasing without taking a receipt for the purchase. The result is that there is a fall in the revenue; and the reason for the fall is that the tax is very high and multi-pointed. Mr. Speaker, Sir, the sales tax was first introduced in the year 1939, and the amount collected by way of revenue under this head in 1940 was nearly Rs. 4 crores. At that time the tax was at the rate of one pie in the rupee. In the year 1951 the rate was increased to three pies in the rupee, and the price of commodities also has risen thrice under the circumstances, where one would expect a revenue at Rs. 36 crores, the amount of revenue collected for the year 1950-51 was only about Rs. 15.82 crores. For the year 1951-52, the estimated revenue was Rs. 15.10 crores, while the present estimate shown in the Budget is somewhere about Rs. 14½ crores. That proves clearly that there is evasion of payment of tax. It is not surprising to find that a large number of merchants resort to this evasion because it is multi-pointed and high. If it is levied only at a single point, I think much of the evasion can be avoided and the revenue that we might be getting will be more than what we are getting at present with the present rate of taxation.

“ Prior to 1950, sugarcane growers were not subject to the payment of this sales tax. In my district, there are several areas in which sugarcane is grown on a large scale. In my own taluk, about three to four thousand acres of land are under sugarcane cultivation. There is no sugar mill in the locality, and the cultivator has to use his own implements for crushing the cane and manufacturing brown jaggery and sugar. Previously he was not asked to pay the sales tax; but now within the last one year, the

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Government have decided to tax him also, and the Sales Tax Department is now collecting sales tax from sugarcane growers, treating the process of converting sugarcane into sugar as a manufacturing process and taking sugar and jaggery out of the category of agricultural produce. Sir, this creates a lot of hardship. Most of the ryots are not in the habit of maintaining accounts and such of those few as maintain them, do not maintain them in the proper form, with the result that when the Sales Tax Officer tries to assess them, the quantum of outturn, i.e., produce, becomes the subject-matter of disputes. The ryot gives one figure and the officer does not believe it, and he makes his own assessment and levies the tax. In most cases, the tax levied is very high and too much for the poor ryot to bear. My request is that the Government should exempt cane growers who are not in a position to send their canes to the sugar mills, from paying the sales tax."

7-30
p.m.

SRI K. C. GOPALAN UNNI :—"Mr. Speaker, Sir, വില്പന നികുതി ഒരു കാര്യം ആണെന്ന് പല മന്ത്രിമാരും അവരുടെ അനുയായികളും പറയുന്നതായി കേട്ടിട്ടുണ്ട്. എന്നാൽ ഈ നാട്ടിലെ ചെറിയ കച്ചവടക്കാരെ സംബന്ധിച്ചേടത്തോളം, ഈ നാട്ടിലെ സാധാരണക്കാരായ ആളുകളെ സംബന്ധിച്ചേടത്തോളം, ഇത് കാര്യം അല്പ ഒരു ധർമ്മ ആണെന്ന് പറയുന്ന ഇരിക്കുവാൻ നിവൃത്തിയില്ല. അതിനെ വില്പന നികുതി എന്നു പറഞ്ഞാൽ തന്നെ തെറ്റാണ്. അത് consumers നെ സംബന്ധിച്ചേടത്തോളം ഒരു Purchasing tax ആയി മാറിയിട്ടുണ്ട്. സാധനങ്ങൾ വാങ്ങുന്ന ആളാണ് നികുതി കൊടുക്കേണ്ടിയിരുന്നത്. കച്ചവടക്കാരെ സംബന്ധിച്ചേടത്തോളം അത് ഒരു turnover tax ആണ്. അവർ വില്പന സാധനത്തിന് ഉള്ള tax നു ഒരു tax കൊടുക്കേണ്ട നിലയാണ് ഉള്ളത്. ഒരു stage ൽ അല്പ കിൾ മറ്റൊരു stage ൽ tax കൊടുക്കേണ്ടതെന്നതിനു പുറമെ ഒരു കൊല്ലത്തിൽ കച്ചവടത്തിൽ ആകെയുള്ള വരവിന് ഒരു വില്പന നികുതി കൂടി കൊടുക്കണം എന്ന നിലയാണ് ഉള്ളത്. ഇതിന് ഒരു മാറ്റം വരുത്തണമെന്ന് ഗവണ്മെന്റിനോടു് ആവശ്യമായി അഭ്യർത്ഥിക്കുന്നുണ്ട്. നമ്മുടെ നാട്ടിലുണ്ടെങ്കിൽ വളരെ അധികം ചിലവു രേഖപ്പെടുത്താൻ. മുസ്ലിംഗളാണ് അവരിൽ ഭൂരിപക്ഷവും. അവർക്ക് എപ്പോഴും അറിയില്ല. കണക്കുകൾ വെക്കേണ്ട സമ്പ്രദായം അവർക്ക് അറിയില്ല. കുറച്ചെല്ലാം കച്ചവടം ഉണ്ടാകും എന്നു മാത്രം. എന്നാൽ ഇവരെല്ലാം ഈ നികുതി ഉദ്യോഗസ്ഥന്മാർ നിശ്ചയിക്കുന്ന കണക്കുകൾ അനുസരിച്ച് കൊടുക്കുക എന്നല്ലാതെ യാതൊരു വഴിയും വെറേയില്ല. അങ്ങിനെ വില്പന നികുതി കൊടുത്ത് പാപ്പരായ അനവധി ആളുകളെ എനിക്കു അറിയാൻ സാധിച്ചിട്ടുണ്ട്. ഇതിനുമുമ്പ് ഈ Cut-motion നെ move ചെയ്തു ബുദ്ധിമുട്ടപ്പെട്ട മെമ്പർ പറഞ്ഞപ്പോൾ ഭക്ഷണസാധനങ്ങളെ സംബന്ധിച്ചേടത്തോളം നികുതിയിൽനിന്ന് ഒഴിക്കുവാൻ ഈ ഗവണ്മെന്റ് തെറ്റാകാകുന്നു എന്നത് ഒരു സാധാരണ മട്ടാഭയം എന്നെന്ന് ഗവണ്മെന്റിനെ മായിച്ചെടുത്തേക്കാമായിട്ടുണ്ട്. ഇതിനപ്പുറമെ ഗവണ്മെന്റിന് നികുതി കെട്ടണം എന്നുള്ളത് തീർച്ചയായെന്നെങ്കിൽ വളരെ അധികം Luxurious സാധനങ്ങൾ ഉണ്ട്. നിത്യ ഉപയോഗത്തിന് ആവശ്യമില്ലാത്ത സാധനങ്ങൾ, മുതലാളിമാർ സാധാരണ ഉപയോഗിക്കുന്ന സാധനങ്ങൾ, ഉദാഹരണം ബുദ്ധിമുട്ടപ്പെട്ട മെമ്പർ തന്നെ പറഞ്ഞു—കാർ, Radio sets മുതലായവ—ഈ വക സാധനങ്ങൾക്ക് ഒരു നികുതി വെക്കുന്നതുകൊണ്ട് സാധാരണക്കാരായ ആളുകൾക്ക് വളരെ അധികം കഷ്ടപ്പാട് ഉണ്ടാകുകയില്ല. എന്നു മാത്രമല്ല നികുതി വരുവിൽ കുറച്ച് വരുവാൻ വേണ്ടതായില്ല. ഇതിനു പുറമെ ഈ ഗവണ്മെന്റിനോടു് അഭ്യർത്ഥിക്കുവാനുള്ളത് ഒന്നാണ്. ഇന്നു പതിനാലരും ഉറപ്പിക്കുക കച്ചവടം ഉള്ള ആളുകൾ നികുതി കൊടുക്കണം എന്നുള്ളതാണ് പൂർവ്വസ്ഥം. ഈ തോതു കുറവിനെ ഇരുപതിനായിരം ഉറപ്പിക ആയി വർദ്ധിപ്പിക്കണം എന്നാണ് എനിക്കു അഭ്യർത്ഥിക്കുവാനുള്ളത്. ഇന്ന് Contractor മാർ ഈ വില്പന നികുതി കൊടുക്കേണ്ടതായിട്ടുണ്ട്. പക്ഷെ അവരുടെ ആകെയുള്ള കണക്കുകളിൽനിന്നു 30 ശതമാനം കുറച്ച് ബാക്കി വരുന്നതാണ് നികുതി കൊടുക്കുന്നത്. എന്നാൽ Press ഉടമസ്ഥന്മാരാണെങ്കിൽ പതി

26th July 1952] [Sri K. C. Gopalan*Unni]

நாயிலும் உலுக்கியில் ஸாயிகம் turnover உண்டாகில் ஸாவர் நிகுநி கொடுக்கணும். இது ஹைநர் ஸபாநம் ஸாஸகவணிக்நிநாஸா பரயுநது. Tanjore ல் கரு கேஸ்டில் கரு ப்ரஸ்டுசெயுக்க வரவிய்நிநா 30 ஸாஸாநம் கழிவாக்கணம் ஹிநா விய்யாஸா வநிநுஜ்ஜு ஹிநா ஸாந் காக்ஸா. இஃ ஸாஸாநிவிய்லெகா ரவாஸாஸிஹர் ஸ்ரூப ஸாந் க்ஸாநிபுக்காஜ்ஜு. மாலுஜு கரு கொடும் Sales tax கணக்குகளில்புபுதாச் பிஹி ஸாவர் கபுவகம் ஹெய்யாஜும் ஹலுக்கிபும் ஸாநி ரஷு ஜுநா மாலுஸாநி பிசிக புத்யிபுஜும் ஸாநி இஃ நிகுநி ஸாவர் கொடுக்கணம் ஹிநாஜ்ஜு ஸிப்யுயும் ஸாவாஸ் வலிய ஸகசமாயிநிபும், இஹிநா கரு நிவாஸாநம் வரஹு வார் ரவாஸாஸி ஸ்ரூபிபுக்காஸாநம். இஹுயும் ஸாஸாநிகர் ரவாஸாஸிஹர் ஸ்ரூபயில் பவசுஸாநம் ஹிநாமாலுஸா ஹிநிபு ஸ்ரூபமஜ்ஜு. ஸாந் இஃ Cut-motion ஹி விய்நாஸாநம்.”

* SRI G. GOVINDAN :—“கனம் சபாநாயகர் அவர்களே, கனம் மந்திரி அவர்கள் கொண்டு வந்த விற்பனை வரி மான்யத்தை நான் முழு மனதுடன் ஆதரிக்கின்றேன். அப்படி ஆதரிக்கும் முறையில் சில வார்த்தைகள் சொல்லப்பிரியப்படுகின்றேன்.

“உதாரணமாக, விற்பனை வரியானது கனம் ராஜகோபாலாச்சாரியார் அவர்களால் முதன்முதலாக நமது மாகாணத்தில் தான் கொண்டுவரப்பட்டது. மதுவை ஒழிப்பதனால் உண்டாகும் நஷ்டத்தைச் சரிக்கட்டுவதற்காகத்தான் இந்த விற்பனை வரி கொண்டுவரப்பட்டது என்பது எல்லோருக்கும் தெரியும். அந்த வரியை மக்கள் மனமறிந்து கொடுத்து வருகிறார்கள். அதிலே ஒரு கஷ்டம் என்னவென்றால், வரியை வசூல் செய்யும்போது, அதிகாரிகள் வியாபாரிகளை நடத்தும் முறை திருப்திகரமாக இல்லை. நாம் எல்லோரும் வியாபாரம் செய்து பிழைக்கின்றோம். அதிகாரிகளைப் பார்த்தால் நமக்கே பயமாகத்தான் இருக்கிறது. அந்த அதிகாரிகள் ஒரு வாய்தா போட்டு, இன்ன ஊருக்கு வா, இத்தனை மணிக்கு வா, என்று சொல்லிவிட்டு, அதன்படி விஜாரிப்பதில்லை. அதை சர்க்காருடைய ஞாபகத்திற்குக் கொண்டுவர விரும்புகின்றேன்.

“இதை ஏன் சொல்லுகிறேனென்றால், முக்கியமாக அதிகாரிகளுக்கு, விற்பனை வரி ஆபீசர் பதவி சிடைத்தவுடனே தங்களைப் பெரிய ஆபீசர் என்று நினைத்துக்கொண்டு, இந்த வியாபாரிகளை, விற்பனை வரி செலுத்தும் போது, அவர்களை மனதிருக்களாக்கக் கூட மதிப்பதில்லையென்பது என்னுடைய அபிப்பிராயம். எந்த வியாபாரியைக் கேட்டுப்பார்த்தாலும், தங்களுக்கு வியாபாரி என்ற முறையில் வரி செலுத்தும்போது, அதிகாரிகளிடத்தில் எதாவது ஒரு நல்ல முறையில் பேச்சு வார்த்தை நடத்துவதற்கு முடிவதில்லை என்றுதான் சொல்லுவார்கள். சர்க்கார் மக்களுடைய சர்க்கார். மக்களுடைய வருமானத்தைக்கொண்டுதான் சர்க்கார் நடக்கிறது. மக்கள் வருமானத்திலிருந்துதான் அதிகாரிகள் சம்பளம் வாங்கிக் கொள்ளுகிறார்கள். நியப்பிச்சு சம்பளம் பெற்றுத்தான் மக்களுக்கு சேவை செய்ய அதிகாரிகள் நியமிக்கப்பட்டிருக்கிறார்கள். இவை அவர்கள் இன்னும் உணராதது மிகவும் வருந்தத்தக்க விஷயமாக இருக்கிறது. இதை சர்க்கார் கவனித்து உடனே, அதற்குரிய காரியங்களைச் செய்யவேண்டுமென்று நான் ரொம்பவும் கேட்டுக்கொள்ளுகிறேன்.

“அடுத்தபடியாக கைத்தறி வியாபாரம் செய்யக்கூடிய சகோதரர்கள் மில் துணியுடன் சேர்த்து வியாபாரம் செய்தால், ஞாபகத்துக்கே காலண என்று கைத்தறிக்கு வரி போடப்படுகிறது. அதனால் கைத்தறி வியாபாரம் பாதிக்கப்படுகிறது. ஏற்கனவே கைத்தறித் துணிகளின் விலை அதிகம். தவிர, கைத்தறி வியாபாரத்திற்கு அவர்கள் பிரியப்படமாட்டார்களென்று நினைக்கிறேன். மில் துணி அதிகமாக விற்றுவிடலாமென்று கைத்தறித் துணியை அதிகமாக விற்காமல் வியாபாரிகள் மில் துணியை விற்கப் பிரியப்படுவதால், கைத்தறித் தொழில் கெட்டுவிடுகிறது, கைத்தறிக்கு வரி இருக்கக்கூடாதென்று நான் சர்க்காருக்கு தெரிவித்துக்கொள்ளுகின்றேன்.

[Sri G. Govindan] [26th July 1952]

“ மில் துணி 10 ஆயிரம் ரூபாய்க்கு வியாபாரம் செய்து, கைத்தறித் துணி 30 ஆயிரம் ரூபாய்க்கு வியாபாரம் செய்தால் கைத்தறி அதிகமாக இருக்கிறதென்ற காரணத்தினால் பூரா துணிக்கும் சேர்த்து வரி வாங்கக் கூடாது.

“ சில்லறை வியாபாரிகள், அதாவது, மீன், கறி, காய்கறி விற்பனை செய்கிறவர்களுக்கும் வரி போடப்படுகிறது. அவர்களால் கணக்கு வைத்துக் கொள்ள முடியாது. காரணம் என்னவென்றால், கறி வீசை ஒரு ரூபாய் என்று அவர் கணக்கு வைத்திருக்கும்போது 7 ஆயிரம், 8 ஆயிரம் ரூபாய் என்று கணக்குச் சொன்னாலும் விற்பனை வரி அதிகாரிகள் அதைப் 10 ஆயிரம் என்று உத்தேசமாக மதிப்புப் போடுகிறார்கள். அம்மாதிரி இருக்கக்கூடாது. இத்தனை ஆடுகள் ஒரு மாத மொன்றுக்கு அறுத்தால், அல்லது, மீன் இத்தனை கூடையென ஒரு மாதத்திற்கு வந்தால், அல்லது காய்கறி ஒரு மாதத்திற்கு எத்தனை மூட்டைகள் வாங்குகிறார் என்று ஒரு கணக்கு வைத்துக்கொண்டு, அதற்கு ஒரு திட்டத்தை ஏற்படுத்தினால், வியாபாரிகளுக்கு சந்தோஷமாக இருக்கும்.

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“ இந்த மான்யம் விற்பனை வரி மான்யம். தொழில்வரியைப்பற்றியும் சொல்லவேண்டியிருக்கிறது. ஒரு சட்டம் நீங்கள் போடவேண்டிய அவசியம் தான். கிராமங்களில் சில கிராமத்தார் அதிகமாக இருக்கக்கூடிய சாமான்களை விற்பனை செய்ய வேண்டுமென்றால் மென்றால் மென்றென் தன் கைவசமுள்ள தான்யங்களை விற்பனை செய்யவேண்டுமென்கிறதற்காக தொழில் வரி 100 ரூபாய் என்று பயமுறுத்துகிறார். விவசாயம் செய்கின்ற யாராயிருந்தாலும் எவ்வளவு விற்பனையும்விற்பனை வரி, தொழில் வரி போடக்கூடாது. அப்பொழுது தான் விவசாயிகளுக்கு சர்க்கார் மீது அன்பும் ஆதரவும் ஏற்படும்.

“ பால் விற்பனை சம்பந்தமாக, அரசாங்கத்தில் விற்பனை செய்யப்படுகின்ற பாலுக்கு வரி வேண்டுமென்று சட்டம் இருக்கிறது. அது மிகவும் பாதகமான காரியம். தயவு செய்து அந்தச் சட்டத்தை ரத்துசெய்யவேண்டுமென்று கேட்டுக்கொண்டு, இந்த மான்யத்தை ஆதரித்து, என்னுடைய பேச்சை இத்துடன் முடித்துக்கொள்ளுகின்றேன்.”

* SRI M. NARAYANA KURUP:—“ Mr. Speaker, Sir, I stand here only to bring a small point to the notice of the Hon. Minister. It would appear that the former Ministers of the Madras Cabinet had a very soft corner in their hearts for art. They not only instituted the poets-laureateship in our languages but they also exempted dramas from entertainments tax. If I remember aright, they exempted dramas but not dance dramas including *kathakali*. If that were so and if the world-renowned *kathakali* could not be regarded as a piece of art and could not be exempted from entertainments tax, I can only sympathize with the taste of those that were responsible for this. I remember to have made representations to exempt *kathakali* also from entertainments tax but to my knowledge the rules have not been changed. If the rules have not been amended and remain the same, my request to the Hon. Minister is that he may be pleased to grant this small concession which may do credit to his artistic taste without prejudicing the finances of the State.”

* SRI S. RAMASAMY NAIDU:—“ Mr. Speaker, Sir, I rise to plead for a single point sales tax in respect of matches that are manufactured in South India. You know, Sir, that in the South, in Ramanathapuram and Tirunelveli districts matches are made on a large scale. This is an industry which caters to the needs of the agriculturists because every poor man has got the need for

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a match box for his hearth, and beedi and cigarette. Also, this is an industry which employs tens of thousands of agricultural labourers who will otherwise be unemployed. By a single stage tax on match boxes, they will be made cheaper, and will enable the manufacturers to compete with the machine-made matches that are produced in India with Western capital. The match industry is a cottage industry and that cottage industry has now struck deep roots in the economy of this State; it has come to stay and it has to compete with machine-made matches backed by huge Western capital and a tax at a single point would enable them to compete with machine-made matches. I would appeal to the Hon. Minister to consider this question and see that not only the matches are made cheaper for the people but also, as a cottage industry, it is enabled to keep its own against machine-made match boxes and at the same time, to absorb more and more agricultural labour into the industry."

SRI S. B. ADITYAN :—" Mr. Speaker, Sir, on a point of information, is the hon. Member supporting the cut motion or the main motion before the House? "

SRI S. RAMASAMY NAIDU :—" While supporting the main motion, I also plead for a single point tax in respect of matches locally produced."

* SRI R. KRISHNASWAMI NAIDU :—" கனம் சபாநாயகர் அவர்களே, இந்த விற்பனை வரி மான்ய கோரிக்கையை நான் ஆதரிக்கின்றேன். இந்த சந்தர்ப்பத்தில் இதிலுள்ள சில கஷ்டங்களையும் சொல்லிக் கொள்ள விரும்புகிறேன். விவசாயிகள் சம்பந்தப்பட்டபடி கட்டைப் பிண்ணாக்கு, அமோனியம் ஸல்பேட் முதலிய உற்ப பொருள்களுக்கு வரி விதிக்காமல் இருப்பது பொருத்தமாக இருக்குமென்று நான் நினைக்கிறேன். ஏனென்றால், அமோக தானிய உற்பத்திக்கு நாம் மயற்சி செய்யும் இந்த சந்தர்ப்பத்தில், விவசாயச் செலவுகள் அபரிமிதமாக இருப்பதால், உரமாக வாங்கும் பொருள்களுக்கு விற்பனைவரி இல்லாவிட்டால் விவசாயிகளுக்கு ஓரளவு உதவியளிப்பதாக இருக்கும்."

"ஸ்ரீமான் ராமசாமி நாயுடு அவர்கள் சொன்னதபோல, தீப்பெட்டி உற்பத்தித் தொழிலானது ஒரு குடிசைத் தொழிலாகவும் நடைபெற்று வருகின்றது. தீப்பெட்டித் தொழிலை மூன்று வகைகளாகப் பிரித்திருக்கிறார்கள். Category (1), (2), (3) என மூன்று வகைகளாக அந்த பாக்கடிகளைப் பிரித்திருக்கிறார்கள். பெரிய பாக்கடிகளுக்கு முடியாவிட்டாலும்கூட, category (1)-ல் வரக்கூடிய குடிசைத் தொழிலாகச் செய்யக்கூடிய பாக்கடிகளுக்கு மட்டுமாவது விற்பனை வரியிலிருந்து விதி விலக்கு அளிக்க வேண்டும். அப்படியானால்தான் இயந்திர சாதனங்களைக் கொண்டு உற்பத்தி செய்பவர்களோடு போட்டியிடக்கூடிய சந்தர்ப்பம் இந்தச் சிறிய தீப்பெட்டித் தொழிலுக்கு ஏற்படும். ஆயிரக் கணக்கான பல்லாயிரக் கணக்கான மக்கள் தீப்பெட்டித் தொழிலிலுல் வாழ்கின்றனராகையால் இந்த குடிசைத் தொழிலுக்கு சர்க்கார் மேன்மேலும் உதவியளித்து வரவேண்டும்."

"இம்மாதிரியே பார்த்தால், ஒவ்வொரு பொருளுக்கும் விற்பனை வரி இருக்கக்கூடாது என்று ஏற்பட்டுவிடும். ஆனால், அதற்கும் ஒரு எல்லை யிருக்கவேண்டும். மனிதனுடைய உபயோகத்திற்கு அவசியமில்லாத பொருள்களே இல்லை. போகப் பொருளுக்கு அதிகமாக வரி போடலா மென்று சொல்வதில் ஓரளவு நியாயம் இருக்கிறது. ஆனால், இப்படியே ஒவ்வொன்றையும் சொல்லிக்கொண்டு கழித்துவிட்டால் உத்தேச எல்லையை அணுகமுடியாது. அவ்வளவு வரியையும் அரசாங்கம் பெறமுடியாது. இப்படி எந்த வரியும் வேண்டாமென்று பொது மக்களிடத்தில் சொல்லி,

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அதிகமாக வோட்டுகளைப் பெற்றுவிட்டால் அது வெற்றியாகாது. விவேகமும் ஆகாது. அதைப் பெருமையாக யாரும் சொல்லிக்கொள்ளவும் முடியாது. நம் நாடு இருக்கும் நிலைமையில் அம்மாதிரி ஒவ்வொரு வரியையும், “இந்த வரி உங்களுக்கு வேண்டாம்” என்று நான் வாதாடுவேன், அஸெம்பிளியில் உங்களுக்காக பாடுபடுவேன் வேறு வாக்காளர்களிடத்தில் வாக்குறுதியளித்துவிட்டு, வோட்டு வாங்கிவந்தது அவ்வளவு பெருமைப்பட்டக்கூடிய விஷயமல்ல. நாங்கள் அம்மாதிரி வாக்குறுதியளிக்கவில்லை. எல்லோருமே எங்களுக்கு உதவி செய்து வாக்களித்தார்களென்று தெரிவித்துக் கொள்ளுகிறேன்.

“அதோடு கூட, இந்த விற்பனை வரி வசூலிக்கும் விஷயத்தில் சில குறைகள் இருப்பதாக எல்லா அங்கத்தினர்களும் சொன்னார்கள். அதில் ஓரளவுக்கு நியாயமிருக்கிறது. 7 ஆயிரம், 8 ஆயிரம் ரூபாய் turn-over இருக்கும் வியாபாரிக்கு 10 ஆயிரம் என்று அதிகாரிகள் மதிப்பிடுகிறார்கள். அம்மாதிரி மதிப்பிட்டு எல்லோரையும் இந்த வரிக்கு உட்படுத்திவிடுகிறார்கள் என்று சில அங்கத்தினர்கள் சொல்லியதில் ஓரளவு நியாயமிருக்கிறது. அதே மனோபாவமுள்ள அதிகாரிகள் இம்மாதிரி செல்கிறார்கள். நியாயமாகக் கணக்கு வைத்துக்கொண்டு, 7 ஆயிரம், 8 ஆயிரம் turn-over என்று இருப்பவர்களுக்கு, ஏன் 10 ஆயிரம் என்று வைத்துக்கொண்டு வரி போடக்கூடாது? என்ற மனோபாவம் சில அதிகாரிகளுக்கு இருக்கிறது. இதைக் கனம் மந்திரி அவர்களும் சம்பந்தப்பட்ட உயர்நீதி அதிகாரிகளும் கவனிக்கவேண்டும். இம்மாதிரி எண்ணத்தில் அதிகாரிகள் இருப்பதால் இவர்களின் போக்கினால், “நியாயமாகக் கணக்கு வைத்துக்கொண்டிருந்தாலும், பிரயோஜனம் ஒன்றுமில்லை. நாம் ஏன் சரியாகக் கணக்கு வைத்துக்கொள்ளவேண்டும்?” என்று நினைத்து வியாபாரிகள் தப்பு செய்ய ஆரம்பித்துவிட்டார்கள்.

“சென்னை மதுரை போன்ற பெரிய நகரங்களில் இருப்பவர்கள்தான் அதிகமாக வரியிலிருந்து தப்புகிறவர்கள் என்பதையாரும் மறுக்கமுடியாது. இது எல்லோருக்கும் தெரியும். யோக்கியதைவேண்டும். இதைக் கண்டு பிடிப்பதற்கு எல்லோரும் உதவிசெய்யவேண்டும். வரியிலிருந்து தப்புகிறவர்களை சரியாகக் கண்டு பிடித்தால், இன்னும் கோடிக்கணக்கான தொகை வருமானம் கிடைக்கும். சென்னை நகரத்தில் அம்மாதிரி பதுக்குகிறவர்கள் இருக்கிறார்கள். சர்க்காருக்கு விற்பனை வரியிலிருந்து அதிகமாகக் கிடைக்க வேண்டுமானால், சென்னை மதுரை போன்ற பெரிய நகரங்களில் விற்பனை வரியிலிருந்து தப்புகிறவர்களைக் கண்டுபிடிக்க அரசாங்கம் தக்க நடவடிக்கை எடுத்துக்கொள்ளவேண்டும்.

“சில தொழில்களுக்கு லைசென்ஸ் எடுத்துக்கொள்ளவேண்டும். 6 ரூபாய் கட்டி ஒரு வியாபாரி என்று தொழில் செய்பவன் லைசென்ஸ் எடுத்துக்கொள்ளவில்லையானால், அவருக்கு ஆயிரம் ரூபாய் அபராதம் போடப்படுகிறது. சேல்ஸ் டாக்ஸ் ஆபீசர் ஒருவர், ஒரு ஜில்லா அதிகாரி, ஒரு வியாபாரிக்கு ஆயிரம் ரூபாய் அபராதம் விதித்துவிட்டால், அதற்கு மேல் பரிசீலனை செய்து, அந்த அபராதத்தைக் குறைப்பதற்கு அதிகாரம் ரெவின்யூ போர்டாருக்குத்தான் இருக்கிறது. அதற்கு மேல் அரசாங்கத்திற்கு இருக்கிறது. ஜில்லா அதிகாரிகள் ஒரு அபராதம் விதித்துவிட்டால், அதற்கு மேல் வியாபாரிகள் ரெவின்யூ போர்டுக்கோ, அரசாங்கத்திற்கோ அப்பீல் செய்துகொண்டாலும், தரதாரணமாக, அதை அப்படியே இவர்கள் ஊர்ஜிதம் செய்துவிடக்கூடிய நிலைமையில் இருக்கிறது. 6 ரூபாய் கொடுத்து லைசென்ஸ் பெறவில்லை என்ற ஒரு சிறிய காரணத்திற்காக, ஒரு சிறிய வியாபாரியை தனக்குள்ளே அதிகாரத்தை முற்றிலும் உபயோகித்து ஒரு D.C.T.O. அல்லது C.T.O. ஆயிரம் ரூபாய் அபராதம் விதித்தவிட்டால், அந்த சாதாரண வியாபாரி ரெவின்யூ போர்டுக்கு வரவேண்டும்; அதற்கு மேல் அரசாங்கத்திற்கு வரவேண்டும். அரசாங்கத்தின் தீர்ப்பும் சாதாரண இல்லைவென்றால், ஹைகோர்டுக்கு அப்பீலுக்குப் போகவேண்டும். இதை எதற்காகச் சொல்லுகிறேனென்றால், விற்பனை வரி வசூலிக்கும் அதிகாரிகள் எவ்வளவு வன்மையாக வியாபாரிகளிடம் நடந்துகொள்ளுகிறார்கள் என்பதற்காகத்தான் சொல்லவேண்டியிருக்கிறது.

26th July 1952] [Sri R. Krishnaswami Naidu]

“அரசாங்கம் ஏற்படுத்தியிருக்கும் சட்டத்தில் குறை கிடையாது. ஆனால், அந்தச் சட்டத்தை அமலுக்குக் கொண்டுவரும் அதிகாரிகள் இந்த மாதிரியான மனப்பான்மையில் இருப்பதால், பொதுஜனங்களுக்கு சர்க்காரின் மீது அதிருப்தி ஏற்படுகிறது. நிர்வாக முறையில் தங்களுடைய காரியங்களை அவர்கள் செய்துகொண்டு போகிறார்கள். அரசாங்கத்திற்கு இந்த வரியினால் நிறைய வருமானம் தேடவேண்டுமென்ற ஒரு எண்ணத்தினால் அவர்கள் இம்மாதிரி நடந்துகொள்ளுகிறார்களென்பது ஒரு பக்கம் இருந்தாலும்கூட, அதே சந்தர்ப்பத்தில் அந்த எண்ணமானது பிரஜைகள் அரசாங்கத்தின் மீது அதிருப்தி அடையும்படியான நிலையை உண்டுபண்ணிவிடுகிறது என்பதை அதிகாரிகள் மறந்துவிடுகிறார்கள். பொதுஜனங்கள் இம்மாதிரி அரசாங்கத்தின் மீது வெறுப்படைகிறார்கள் என்பதை இந்த அதிகாரிகள் மறந்துவிட்டு, சட்டம் அவர்களுக்குச் சாதகமாக எந்தெந்த இடத்தில் இடங்கொடுக்கிறதோ அந்த சந்தர்ப்பத்தை முற்றிலும் உபயோகித்து, எவ்வளவு அதிகமான தொகையை அதற்காக வசூல்செய்யவேண்டுமோ அந்த அளவுக்கு வசூல் செய்யும்படியான மனோபாவம் அதிகாரிகளுக்கு இருக்கிறது. அரசாங்கம் இந்த அதிகாரிகளுக்கு தகுந்த டோதீனைகளைச் செய்து, வியாபாரிகளிடத்தில் நியாயமாக வரி வசூலிப்பதற்கான கொள்கைகளை வகுத்துக்கொடுத்தால், இந்த வகையில் சிறிய வியாபாரிகள் கஷ்டமடைவது குறையும் என்று தெரிவித்துக்கொள்ளுகிறேன்.”

“பருத்திக்கொட்டைக்கு வரியே கொடுக்காமல் வியாபாரிகள் தப்புதி றார்கள். எனக்கு ஜின்னங் பாக்கிரியில் சம்பந்தமிருக்கிறது. நானும் பஞ்ச வியாபாரம் செய்கிறேன். பருத்திக்கொட்டை வியாபாரம் வரிகொடுக்காமல் பகிரங்கமாக நடக்கிறது. சர்க்காரின் வரிக்ஞானகை அம்மாதிரி இருக்கிறது. கோயமுத்தூர் ஜில்லாவிலுள்ளவர்கள் இராமநாதபுரம் ஜில்லாவில் பல இடங்களில் வந்து, பருத்திக்கொட்டை வாங்கிக்கொள்ளுகிறார்கள். பில் இல்லாமல். விவசாயிகள் பேரிலேயே பல பில்களைப்போட்டு பருத்திக் கொட்டையை வியாபாரிகள் கொடுத்துவிடுகிறார்கள். நாம் அடுத்த வியாபாரிக்கும் குறைவாக திருப்பூரில் பருத்திக்கொட்டை விற்கமுடியு மென்று அவர் நினைக்கிறார். கமிஷன் ஏஜென்டுகள் அதற்குப் பயப்படு கிறார்கள். வேறு வழியில்லையென்று விவசாயிகள் பேரில் பில் போட்டு பருத்திக்கொட்டையைக் கொடுத்துவிடுகிறார்கள். இதற்கு வழியென்ன வென்றால், பருத்திக் கொட்டையை அறைத்தவுடனே, ஒரு ஸ்டேஜில், எந்த இடத்தில் ‘ஜின்’ ஆகிறதோ அப்பொழுது ஒரே வரியாக பருத்திக் கொட்டைக்கு வரி விதித்தால், லக்ஷக் கணர்களான ரூபாய் சர்க்காருக்குக் கிடைக்கும். பருத்திக்கொட்டை வியாபாரம் செய்து வரியிலிருந்து தப்பக் கூடியவர்களிடமிருந்து வரி கிடைக்கும். இதை அரசாங்கம் முக்கியமாகப் பரிசீலனை செய்யவேண்டும். அதாவது பல இடங்களில் பருத்திக்கொட்டை வியாபாரத்தினால் லக்ஷக்கணக்கான ரூபாய்கள் அரசாங்கத்திற்கு வருவது தடைபடுகிறது. இம்மாதிரி பல இடங்களில் நடைபெறுகிறது. ஆகையால், இந்தப் பருத்திக்கொட்டை சம்பந்தப்பட்ட மட்டில் முதல் வரியாக ஒரு வரி போடவேண்டுமென்று தெரிவித்துக்கொள்ளுகிறேன்.”

“முக்கியமாக, கடலைப் பிண்ணனுக்கு போன்ற விவசாய உரப்பொருள் களுக்கு வரி விதிக்கக்கூடாது, category (1)-ல் வரும் தீப்பெட்டித் தொழிற்சாலைக்கு இந்த வரிகூடாதென்று தெரிவித்துக்கொண்டு இந்த மானியத்தை ஆதரிக்கின்றேன்.”

SRI K. V. RAMESAM:—“Mr. Speaker, Sir, the anticipated deficit in the Budget can certainly be made up if the Government adopt stringent and stricter measures in respect of business transactions of the hotel-keepers both in the mufassal and in the Madras City.

“As suggested by the hon. Member Mr. Vinayakam the sales tax could be levied heavily on luxury articles like motor cars and radio-sets. So also the tax on bullion like gold and silver can be

7-50
P.m.

[Sri K. V. Ramesam]

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enhanced, as only the rich people buy them and they can afford to bear the enhanced tax. There would not be any difficulty in the matter of the collection of the tax.

"Another suggestion, I would like to make, is that articles of food should be exempted from the operation of the Act, as it affects the poor man. At the same time, I would like to draw the attention of the Government to the imperative need for exempting handloom fabrics from the levy of sales tax. The Government have been pleased to recognize that the plight of the handloom weavers in the country is very bad and that their condition must be improved at any cost. They are going to take some effective measures to remove some of the hardships experienced by handloom weavers. In this connection, I must draw the attention of the Government to the fact that co-operative weaving societies at present have large stocks of handloom cloth on hand and on account of the high price of yarn and wages, it is not possible to dispose of them and they are lying idle for want of market. Therefore, I request the Hon. Minister in charge to exempt the handloom co-operative weaving societies from the operation of the Act as it will enable them to dispose of the huge stocks that are now lying idle.

"Sir, at present the Sales Tax Appellate Tribunal is located in the Madras City itself and parties who are asked to appear before the Tribunal find it inconvenient to come all the way from their places to the City. Therefore, I request the Government to locate these Tribunals in district headquarters towns, where cases can be easily disposed off without much trouble, expenditure and inconvenience to the parties concerned. Thank you, Sir."

* SRI T. ANANTHA PAI :—"Mr. Speaker, Sir, I should like to make it very clear at the very outset that whatever I might say, I am supporting the main Motion and opposing the Cut Motion. Sales Tax has assumed a very important place in the structure of taxation in this State and it is becoming more and more a popular tax so far as the Government are concerned. But sales tax is a very unpleasant tax and for that matter all sorts of taxation are quite unpleasant. There is one thing to be said in favour of sales tax. It is more equitable than the tax on the sale of liquor. While the tax on the sale of liquor comes from a particular strata of society only, the sales tax—though it is not of a very equitable type of tax, according to the accepted canons of taxation—is collected from everybody.

8 p.m.

"Then, Sir, so far as this State is concerned, we have depended on this tax as the main source of revenue. We have to find ways for making up our deficit this year. Nobody has, however, suggested that the sales tax should be enhanced to make up our deficit. This really shows that the maximum, so far as the sales tax is concerned has already been reached. The veritable 'Kamadhenu', which it was all these years, when the prices were soaring and when the Hon. the Finance Minister was able to realise what

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he had budgeted for, now shows a decline in its yield. With the present tendency of the prices to go down, I fear the Finance Minister will have to face an inconvenient predicament in the near future. So Sir, I feel the time has now come when it is necessary for us to carefully look into this taxation in our State and try to see whether we can reduce the incidence of taxation on the poor people. It is no good saying that this is a tax which is equitable, as it is being collected from everybody. The incidence of tax particularly on foodstuffs is very heavy, and in these days when the price level is high and the people are groaning under it, even a little bit of concession in sales tax would considerably reduce the pressure of taxation on the middle classes and the poorer classes. It would have been a different matter altogether if that taxation had been confined to the luxury articles, even if it be at a higher rate. But so far as foodstuffs are concerned, a certain amount of concession must be afforded.

“ Sir, I know I am just pleading for this concession in sales tax at a time when the Central Government have promised that a Committee will be appointed shortly to study the structure of this sales tax, with a view to see whether a certain kind of uniformity cannot be brought about in all the States, and whether a single point tax is much preferable to a multi-point tax, though some of our administrators feel that a single point taxation is not so profitable. Sir, it is not just to favour multi-point sales tax on the ground that the Bombay Government have recently decided to switch on to multi-point taxation from single point taxation. What we want is that any system of taxation we may have should have a scientific basis. The time has now come when we should revise our taxation structure. This is proved by the fact that we are now having all kinds of taxes. When I say this, I should not be understood that I am supporting the Cut Motion. I say this only to bring home to the Government that this is an important matter which affects the people vitally. One way of bringing relief to the people is to raise the limit of exemption from sales tax from ten thousand rupees to twenty thousand rupees. I am sure our Government would be willing to give relief in just cases, when they are brought to their notice. I say this, with a certain amount of confidence because of their action in a recent case. Recently I had represented to the Government that it was not proper for them to collect sales tax on a particular type of fishing called ‘ Ramponi ’ in South Kanara, as it was a beautiful example of a collective effort, where sixty or seventy fishermen joined together contributing their pieces of nets and the total catches were distributed among themselves in proportion to the number of nets contributed. The Government went into the matter and they were convinced of the justness of the representation and so gave it exemption from sales tax, though it involved a certain amount of loss to the exchequer. I am sure if particular instances of hardship are brought to the notice of Government they would give necessary relief. From the example I have cited, I feel that the Government are fully conscious of their responsibilities and are prepared to do justice. In

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conclusion, I wish Government put the taxation structure on a scientific basis as early as possible. For, however much revenue may flow into the coffers of the State, it is found to be insufficient. That shows the time has come when Government should effect economy in expenditure also. Economy brings its own revenue. I am sure Government would do this side by side with the revision of the taxation structure of our State. I thank you, Sir."

The House then adjourned to meet again at 10-30 a.m. on Monday, 28th July 1952.

V.—PAPERS PLACED ON THE TABLE OF THE HOUSE:

[Laid on the table in accordance with section 11 (2) of the Madras Motor Vehicles Taxation Act, 1931.]

1. G.O. Ms. No. 2095, Home, dated the 11th June 1952, exempting from payment of tax refused under Madras Motor Vehicles Taxation Act.

2. G.O. Ms. No. 2293, Home, dated the 26th June 1952, exempting three more Delahaye mobile motion picture trucks belonging to the American Consulate-General at Madras, from Madras Motor Vehicles Taxation Act.

3. G.O. Ms. No. 1868, Home, dated the 26th May 1952, amending notification under Madras Motor Vehicles Taxation Act.